

**Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Office of Grants and Research**



FY 2016 Title II Formula Grants Program

THREE YEAR PLAN (UPDATE)

**Charles Baker
Governor**

**Karyn Polito
Lieutenant Governor**

**Daniel Bennett
Secretary**

**Angela Davis
Interim Executive Director**

2. PROJECT ABSTRACT

The Massachusetts Executive Office of Public Safety and Security (EOPSS) is applying for FY 2016 Title II Formula Grant funds with this submission of the Commonwealth's Three Year Plan (Update).

The primary purpose of the Formula Grant program is to ensure the Commonwealth's compliance with the core requirements of the Juvenile Justice and Delinquency Prevention Act (JJDP Act) of 2002. In addition, the purpose of the Formula Grant program is to effectively serve the needs of at-risk and system-involved juveniles in accordance with other priorities of the JJDP Act such as those reflected in the delineated "program areas." Funds from the Formula Grant program are dedicated to compliance activities by providing for the salaries of the Commonwealth's Compliance Monitor and the Juvenile Justice Specialist/DMC Reduction Specialist. Funds are also allocated to compliance-related sub-grantees. To the extent feasible, remaining funds are allocated to sub-grantees whom address aspects of the program areas prioritized by the State Advisory Group (SAG). In Massachusetts the SAG is the Juvenile Justice Advisory Committee (JJAC).

Due to Office of Juvenile Justice and Delinquency Prevention's (OJJDP) determination that many of Massachusetts' court holding facilities are not compliant with the Separation from Adult Inmates core requirement of the JJDP Act and the resulting penalty on the federal award, the Commonwealth may not have significant funds to allocate towards delinquency prevention, intervention and systems change projects (other than those related to regaining full compliance).

While funds may be limited, the JJAC and EOPSS will continue work to help the Commonwealth's most vulnerable children. In addition to continuing to make progress towards regaining full compliance with the JJDP Act, the JJAC has identified the following priorities: reducing disproportionate minority contact; improving the collection and reporting of juvenile justice data; ensuring stakeholders incorporate trauma-informed practices into their initiatives and services; advocating for a juvenile competency statute; and promoting best practices for juvenile diversion programs. The projects implemented will consist of activities such as convening stakeholders to collaborate on potential system improvements and effective practices, advocating and raising awareness on specific issues such as trauma-informed practices and other "no cost" activities. JJAC member expertise and professional connections will be leveraged to optimize such activities. Most of the day to day work regarding the priorities will be implemented by EOPSS staff. Formula Grant funds cover the costs of two full time staff members, including the Juvenile Justice Specialist/DMC Reduction Specialist and the Compliance Monitor. Progress on the JJAC priorities will be measured based on the objectives and timetables referenced in the original FY 2015 Three Year Plan.

3. PROGRAM NARRATIVE

A. STATEMENT OF THE PROBLEM

1. System Description: Structure and Function of the Juvenile Justice System

The major components of the Massachusetts juvenile justice system consist of the following stakeholders: the statewide Juvenile Court Department of the Trial Court, the Department of Youth Services (DYS), the Office of the Commissioner of Probation, the Youth Advocacy Division (YAD) of the Committee for Public Counsel Services (CPCS) (public defenders), the county-based District Attorneys' Offices, and local and state police. Other stakeholders who are not directly part of the major functioning of the juvenile system but are directly or indirectly involved with at-risk and system-involved youth and/or issues that confront them include: the Department of Children and Families (DCF), the Executive Office of Health and Human Services (EOHHS), the Juvenile Justice Advisory Committee (JJAC), the Office of the Child Advocate (OCA), the Department of Elementary and Secondary Education (DESE) and local schools, Citizens for Juvenile Justice (CfJJ), the Parent/Professional Advocacy League (PPAL) and numerous, child-serving non-profit entities across the Commonwealth and state lawmakers.

The juvenile court system in Massachusetts is a statewide system managed within the Executive Office of the Trial Court (EOTC). There are approximately 40 juvenile judges across the Commonwealth and one to four juvenile courts and/or juvenile sessions in district courts in most counties. Three types of juvenile justice cases are heard within the juvenile court system: Child Requiring Assistance (CRA) cases (status offenses), delinquency cases, and youthful offender cases. Status offenders in the Commonwealth benefit from the progressive CRA law which prohibits their secure detention and is intended to ensure assistance and support that is developmentally-appropriate and shields them from criminal stigmatization. There is no "validated court order" exception to the Deinstitutionalization of Status Offenders core requirement of the JJDP Act in Massachusetts. A youth between the ages of seven and eighteen may be prosecuted in the juvenile court system for criminal-type offenses after referral to the court via an arrest (followed by issuance of a complaint) or a summons after a complaint has been issued. Delinquency cases constitute the majority of criminal-type cases in the juvenile court system. Prosecution of juveniles as youthful offenders is left to the discretion of the District Attorneys' Offices when certain conditions relating to the seriousness of the charges and/or prior history of the offender are met.

There are a number of potential dispositions for a criminal-type juvenile case. Some non-serious, first-time offenders may have their cases diverted prior to arraignment at the discretion of the police or prosecutors. Depending primarily on the seriousness of the offense and the prior offense history of the defendant, a delinquent offender may receive dispositions ranging between a "continuance without a finding," "delinquent probation," "DYS suspended sentence" or a "commitment to DHS until age 18." Unless an adjudicated delinquent offender is committed to DHS, the juvenile is placed under supervision of a juvenile probation officer with conditions such as: no new arrests, attend school daily, obey home rules, drug testing, and curfew. Violation of probation conditions results in a probation violation hearing and, if a violation is found,

potentially a more serious sanction among those listed above such as commitment to DYS. A juvenile who is adjudicated as a youthful offender receives one of the following sanctions: commitment to DYS until age 21, commitment to DYS until age 21 with an adult suspended sentence, or any sentence allowable for an adult convicted of the same offense. Youthful offenders found to have violated their probation may be re-sentenced to any of the preceding youthful offender sanctions. Adult court has original jurisdiction over juveniles between the ages of fourteen to eighteen who are charged with murder.

DYS is responsible for detaining pre-trial youth who cannot post bail or who are “held without bail” as well as for confining and supervising committed youth. Detention facilities range from foster homes to staff secure residential facilities to hardware secure facilities. There is a continuum of care for committed youth. Committed youth generally spend time in a staff secure or/or hardware secure residential facility. The amount of time spent in confinement is generally based on the seriousness of their current offense and past offense history as well as behavior while in confinement. After confinement, committed youth return to their homes and receive community-based supervision until they reach the age of 18 (or 21 for youthful offenders). If they fail to follow DYS conditions while residing in the community their “grant of conditional liberty” may be revoked and they may be returned to confinement.

An example of one of the non-profit entities that works with at-risk and system-involved youth is the United Teen Equality Center (UTEC). UTEC, like other important non-profit entities, has received juvenile justice funding from EOPSS and the JJAC in the past. UTEC uses a comprehensive positive youth development approach to working with the most at-risk and system-involved youth in the cities of Lowell and Lawrence. Programming consists of: street outreach and gang peacemaking, transitional coaching, workforce development, education services and civic engagement education and activities. UTEC collaborates with local businesses as well as juvenile justice stakeholders such as judges and DYS. UTEC is committed to working with youth even if they have dropped out or “failed” their programming on previous occasions. UTEC realizes that patience and multiple efforts may be required when working with the most troubled youth.

Initiatives are underway in Massachusetts that are designed to enhance collaboration between juvenile justice stakeholders. These initiatives are informed by a positive youth development approach to working with youth and a desire for stakeholders to develop a common vision and set of goals that can improve outcomes for at-risk and system-involved youth. For example, the Child Welfare and Juvenile Justice Leadership Forum – consisting of top leadership from key stakeholder agencies and institutions – was recently formed with the above aim and values in mind in order to improve the juvenile justice system and the lives of the youth it touches. Currently, it is focusing its efforts primarily on the issue of racial and ethnic disparities in the juvenile justice system. This and other initiatives are discussed further in following sections of this Three Year Plan.

FY 2016 UPDATES

There have been no changes to the structure and function of the juvenile justice system.

2. Youth Crime Analysis and Needs and Problem Statements

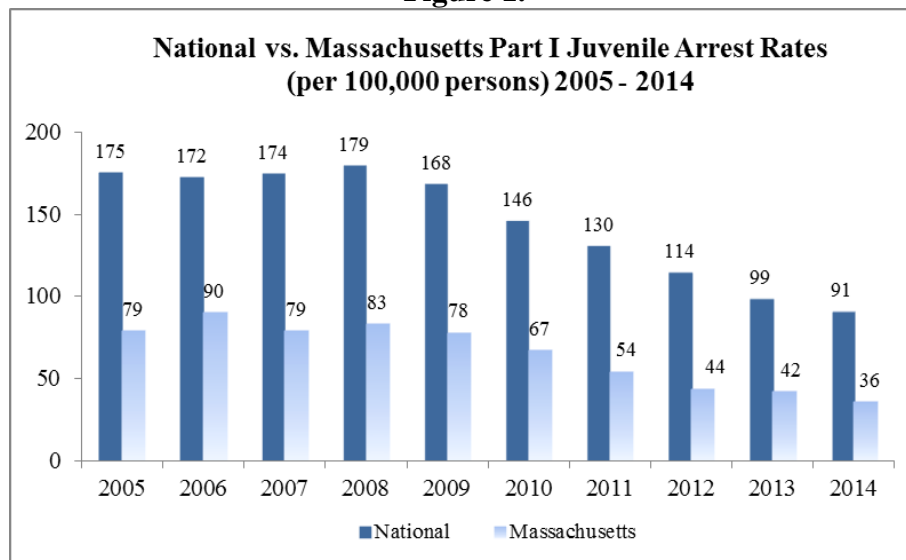
a. Analysis of Youth Crime Problems

There are five parts to the analysis of juvenile crime problems: (1) arrests; (2) referrals to juvenile court; (3) cases handled formally; (4) referrals to detention; and (5) other conditions relevant to delinquency prevention programming.

(1) Juvenile arrests by offense type

The eight offenses that comprise Part I Crimes or Index Crimes – criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson – are the most serious offenses against persons and property tracked by the Federal Bureau of Investigation (FBI). For the past ten years, Massachusetts has almost consistently had Part I juvenile arrest rates¹ that were half that of the national rate² (with the exception of calendar year 2006), while more recently, rates across the nation and within the Commonwealth have been steadily declining since 2008. In the past six years, the national rate of juvenile arrests for Part I crimes fell 46%, while the rate within Massachusetts during the same timeframe dropped 54% (Figure 1).

Figure 1.



Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 41 (National data) and Table 69 (MA data). The US Census Bureau's *State and County QuickFacts – Massachusetts* – was utilized to identify the statewide population.

A more in-depth analysis of the breakdown of the various Part I juvenile offense arrests at both the statewide and national level over a ten-year period is presented in Table 1 (page 5). Between 2005 and 2014 there has been a dramatic reduction in crime rates as displayed in Table 1 (page 5), both nationally and in Massachusetts.

¹ Juveniles are defined as individuals under the age of 18. All rates are calculated per 100,000 persons in the total population; population figures include both juveniles and adults within a given locale (Massachusetts and the United States, respectively).

² FBI figures include only those agencies that voluntarily report their crime data on an annual basis.

Rate (per 100,000 persons)

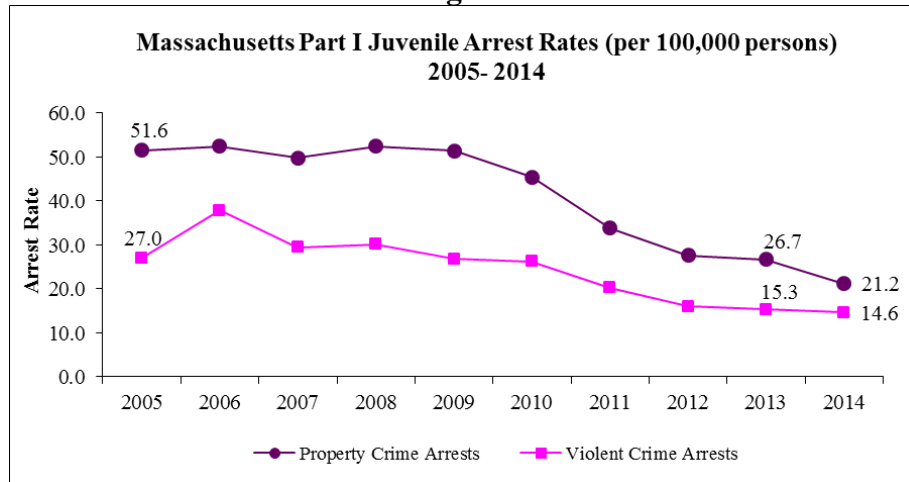
Table 1.

| Part I Offenses | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | % change '05-'14 | % change '13-'14 |
|---------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|---------------------------------|---------------------------------|
| MA Property Crime Arrests | 51.6 | 52.5 | 49.8 | 52.5 | 51.4 | 45.5 | 33.9 | 27.6 | 26.7 | 21.2 | -59% | -21% |
| US Property Crime Arrests | 142.8 | 137.8 | 141.6 | 147.2 | 139.4 | 120.9 | 108.5 | 95.0 | 80.8 | 73.9 | -48% | -9% |
| MA Burglary | 13.0 | 13.4 | 12.2 | 11.7 | 10.6 | 10.0 | 7.7 | 6.6 | 6.2 | 4.9 | -62% | -21% |
| US Burglary | 26.4 | 28.2 | 27.4 | 27.9 | 24.8 | 21.4 | 19.9 | 17.3 | 14.1 | 12.7 | -52% | -10% |
| MA Larceny | 33.8 | 35.1 | 33.1 | 38.0 | 38.5 | 32.3 | 24.2 | 19.1 | 18.9 | 14.5 | -57% | -23% |
| US Larceny | 101.0 | 95.2 | 101.9 | 108.9 | 106.3 | 93.0 | 82.5 | 72.1 | 61.6 | 56.2 | -44% | -9% |
| MA Motor Vehicle Theft | 3.9 | 3.1 | 3.2 | 2.0 | 1.7 | 2.1 | 1.5 | 1.1 | 1.0 | 1.3 | -67% | 30% |
| US Motor Vehicle Theft | 12.7 | 11.7 | 9.9 | 8.3 | 6.6 | 5.1 | 4.5 | 4.2 | 3.9 | 4.0 | -69% | 3% |
| MA Arson | 1.0 | 0.9 | 1.3 | 0.8 | 0.6 | 1.2 | 0.5 | 0.8 | 0.6 | 0.5 | -50% | -17% |
| US Arson | 2.7 | 2.7 | 2.4 | 2.2 | 1.8 | 1.5 | 1.6 | 1.4 | 1.2 | 1.0 | -63% | -17% |
| MA Violent Crime Arrests | 27.0 | 37.9 | 29.4 | 30.2 | 26.9 | 26.3 | 20.3 | 16.0 | 15.3 | 14.6 | -46% | -5% |
| US Violent Crime Arrests | 32.4 | 34.1 | 32.6 | 32.0 | 28.4 | 24.6 | 21.9 | 19.4 | 17.8 | 16.8 | -48% | -6% |
| MA Homicide | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 | 0.0 | 0.0 | 0.0 | -100% | 0% |
| US Homicide | 0.4 | 0.4 | 0.4 | 0.4 | 0.4 | 0.3 | 0.3 | 0.2 | 0.2 | 0.2 | -50% | 0% |
| MA Rape | 0.6 | 0.7 | 0.4 | 0.5 | 0.4 | 0.6 | 0.5 | 0.2 | 0.3 | 0.3 | -50% | 0% |
| US Rape | 1.3 | 1.2 | 1.2 | 1.1 | 1.0 | 0.9 | 0.9 | 0.8 | 0.9 | 1.0 | -23% | 11% |
| MA Robbery | 4.7 | 10.2 | 7.7 | 8.1 | 7.3 | 5.3 | 4.8 | 3.6 | 3.7 | 3.9 | -17% | 5% |
| US Robbery | 9.9 | 12.0 | 11.7 | 11.9 | 10.5 | 8.8 | 7.7 | 6.8 | 6.5 | 6.1 | -38% | -6% |
| MA Aggravated Assault | 21.5 | 27.0 | 21.2 | 21.5 | 19.0 | 20.3 | 14.9 | 12.2 | 11.4 | 10.4 | -52% | -9% |
| US Aggravated Assault | 20.7 | 20.5 | 19.3 | 18.6 | 16.5 | 14.6 | 13.1 | 11.6 | 10.2 | 9.5 | -54% | -7% |
| MA Total Part I Arrests | 78.6 | 90.4 | 79.2 | 82.7 | 78.3 | 71.8 | 54.2 | 43.7 | 42.0 | 36.0 | -54% | -14% |
| US Total Part I Arrests | 175.2 | 171.9 | 174.1 | 179.3 | 167.7 | 145.5 | 130.4 | 114.5 | 98.6 | 90.7 | -48% | -8% |

Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 41 (National data) and Table 69 (MA data). The US Census Bureau's *State and County QuickFacts – Massachusetts* – was utilized to identify the statewide population.

Upon further examination of these trends for juveniles arrested for crimes against persons and property, the patterns have a similar trajectory over time. Property crime dropped 59% between 2005 and 2014 and 21% in the period from 2013 to 2014, and violent crime fell 46% over the course of the ten-year period and 5% from 2013 to 2014 (Figure 2, page 6).

Figure 2.



Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 69.

In addition to Part I Offenses, the FBI also tracks data on Part II Offenses, which cover all crimes not otherwise noted in Part I. Those crime classifications include other assaults, forgery and counterfeiting, fraud, embezzlement, buying/possessing stolen property, vandalism, weapons carrying/possessing, prostitution, sex offenses, drug abuse violations, gambling, offenses against family/children, driving under influence, liquor law violations, drunkenness, disorderly conduct, vagrancy and all other offenses. Part II Crimes also include suspicion and curfew/loitering law violations, which are status offenses.

A more in-depth analysis of the breakdown of the various Part II juvenile offense arrests at both the statewide and national levels over the ten-year period is presented in Table 2 (page 7).

Rate (per 100,000 persons)

Table 2.

| | | | | | | | | | | | % change '05-'14 | % change '13-'14 |
|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|-------------|------------------------|------------------------|
| Part II Offenses | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | | |
| Other Assaults | 35.4 | 37.6 | 36.2 | 38.7 | 37.9 | 39.0 | 34.1 | 31.4 | 28.0 | 26.0 | -27% | -7% |
| Forgery & Counterfeiting | 0.4 | 0.4 | 0.4 | 0.3 | 0.2 | 0.2 | 0.2 | 0.1 | 0.2 | 0.2 | -50% | 0% |
| Fraud | 0.5 | 0.9 | 0.7 | 0.7 | 0.8 | 0.5 | 0.4 | 0.4 | 0.4 | 0.3 | -40% | -25% |
| Embezzlement | 0.1 | 0.1 | 0.1 | 0.1 | 0.0 | 0.1 | 0.1 | 0.0 | 0.0 | 0.1 | 0% | 0% |
| Buying/Possessing Stolen Property | 4.0 | 5.4 | 4.3 | 3.4 | 3.7 | 3.8 | 2.8 | 2.7 | 2.4 | 1.9 | -53% | -21% |
| Vandalism | 15.5 | 19.0 | 14.4 | 13.9 | 12.3 | 12.3 | 9.1 | 9.1 | 6.9 | 7.1 | -54% | 3% |
| Weapons Carrying/Possessing | 3.9 | 4.8 | 4.4 | 4.1 | 3.6 | 3.6 | 3.0 | 2.5 | 2.4 | 2.4 | -38% | 0% |
| Prostitution | 0.2 | 0.3 | 0.1 | 0.1 | 0.1 | 0.1 | 0.0 | 0.1 | 0.0 | 0.0 | -100% | 0% |
| Sex Offenses | 1.6 | 1.2 | 1.5 | 1.3 | 1.3 | 1.5 | 0.8 | 1.0 | 0.8 | 0.8 | -50% | 0% |
| Drug Abuse Violations | 36.2 | 40.5 | 36.1 | 32.5 | 10.3 | 10.8 | 7.6 | 7.6 | 5.7 | 4.1 | -89% | -28% |
| Gambling | 0.1 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | -100% | 0% |
| Children | 2.4 | 1.7 | 2.8 | 1.6 | 2.2 | 2.7 | 2.3 | 1.9 | 0.9 | 0.3 | -88% | -67% |
| Driving Under the Influence | 2.8 | 2.6 | 2.2 | 1.6 | 1.3 | 1.3 | 1.0 | 1.1 | 0.8 | 0.7 | -75% | -13% |
| Liquor Laws | 15.4 | 19.2 | 15.5 | 11.9 | 14.0 | 15.9 | 11.3 | 12.3 | 9.5 | 7.5 | -51% | -21% |
| Drunkenness | 5.0 | 5.4 | 5.0 | 3.1 | 4.2 | 3.8 | 2.6 | 2.3 | 3.0 | 2.5 | -50% | -17% |
| Disorderly Conduct | 23.1 | 25.5 | 22.6 | 21.2 | 19.6 | 18.0 | 14.5 | 11.8 | 10.6 | 8.4 | -64% | -21% |
| Vagrancy | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0% | 0% |
| All Other Offenses | 69.1 | 65.0 | 54.9 | 54.4 | 50.1 | 52.9 | 39.7 | 37.7 | 25.8 | 25.7 | -63% | 0% |
| Suspicion | 0.6 | 0.5 | 0.3 | 0.0 | 0.0 | 0.1 | 0.0 | 0.1 | 0.1 | 0.2 | -67% | 100% |
| Curfew and Loitering Law Violations | 0.3 | 0.3 | 0.1 | 0.2 | 0.2 | 0.1 | 0.1 | 0.0 | 0.0 | 0.0 | -100% | 0% |
| Runaways* | 6.0 | 5.7 | 4.4 | 4.5 | 3.8 | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Total Part II Juvenile Arrest Rates | 222.6 | 236.1 | 206.2 | 193.9 | 165.6 | 166.7 | 129.6 | 122.1 | 97.6 | 88.2 | -60% | -10% |

Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 69. The US Census Bureau's *State and County QuickFacts Massachusetts* – was utilized to identify the statewide population.

*Please note that Runaways were last reported in the 2009 UCR.

The total rate of juvenile arrests for Part II Crimes fell 10% in the one-year period from 2013 to 2014, and 60% over the ten-year period from 2005 to 2014, demonstrating a long-term pattern similar to the decrease seen in Part I Crimes over the same timeframe. The six most prevalent Part II Crimes in 2014 in descending order – other assaults (26.0) all other offenses (25.7), disorderly conduct (8.4), liquor laws (7.5), vandalism (7.1), and drug abuse violations (4.1) – represent 79% of the total crimes from this group of offenses (Table 2).

(2) Juvenile Court delinquency, youthful offender and status offenses (by offense type and gender).

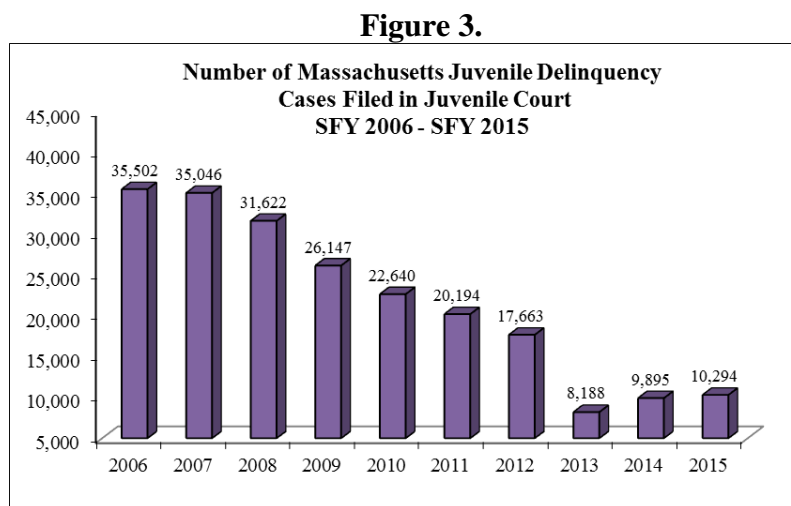
This section describes youth with three kinds of cases heard before the Juvenile Court: Delinquency, Youthful Offender and Child Requiring Assistance (CRA).

In Massachusetts, juvenile delinquents are defined as individuals who are adjudicated delinquent as a result of violating a state law, city ordinance, or town by-law while they were at least seven years of age but not yet age 18 (MGL, Chapter 119, §52). The oldest age for juvenile court jurisdiction for a delinquency complaint, charge or matter in Massachusetts was changed from 16 to 17 by the legislature in September 2013. The recent increase in delinquency and youthful offender cases heard in juvenile court is mostly attributable to the raised age of juvenile court jurisdiction as opposed to a substantial increase in crime.

Delinquency

Delinquency cases are almost exclusively heard before the Juvenile Court but under the *Court Reorganization Act of 1992*, the Brookline and Gloucester District Courts were permitted to retain jurisdiction over juvenile cases (MGL, Chapter 218, §57).

In SFY 2015, there were 10,294 juvenile delinquency cases, marking a 71% decrease from the high in SFY 2006, but a 4% increase from the prior year (Figure 3). During SFY 2015, males represented 75% and females represented 25%.³ When the race/ethnicity⁴ of the individuals appearing before the juvenile court was examined, White youth accounted for 43% of the population, followed by Hispanic youth (30%), Black/African American youth (26%), and Other (2%).⁵



Source: Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Juvenile Case Types*, 2016.

*Please note that data on the total number of delinquency cases before the Juvenile Court in SFY 2012 in both Essex County and Norfolk County is unavailable and was therefore excluded from this analysis.

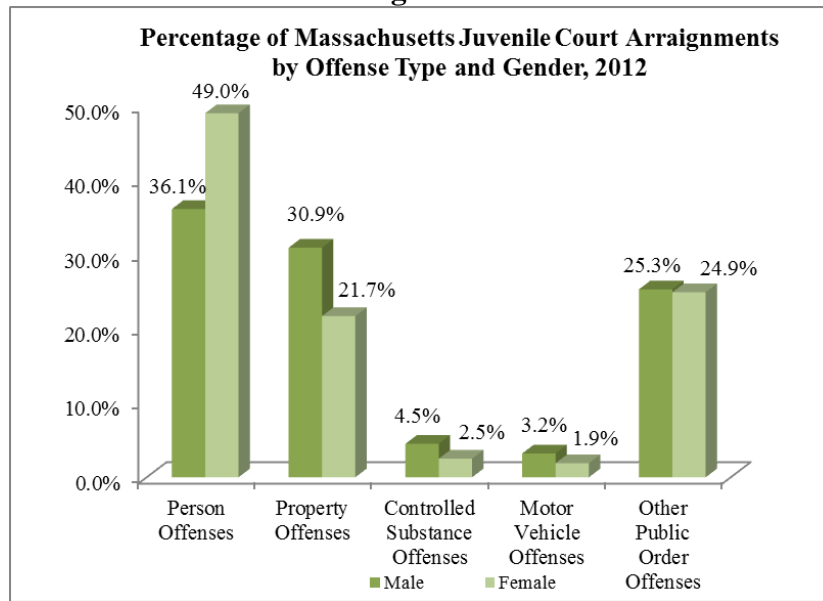
The most common offenses resulting in the appearance of youth before the Juvenile Court for arraignments in calendar year 2012 were person offenses (41.5%), followed by property offenses (33.4%), other public order offenses (19.3%), controlled substance offenses (4.1%), and motor vehicle offenses (1.6%). These figures are calculated based on the total number of occurrences (15,159) of each type of crime, rather than the total number of individuals charged with each offense (9,845).

³ The gender of youth appearing before the Juvenile Court in delinquency cases was known in 10,210 of the 10,294 cases (99%).

⁴ The methodology to report race and ethnicity follows the Trial Court's draft policy, *Manner of Collecting Data on Race and Ethnicity*. Racial categories were defined as the following: American Indian or Alaska Native, Asian, Black or African American, Native Hawaii or other Pacific Islander, and White. The ethnicity category, Hispanic or Latino, includes persons of Cuban, Mexican, Puerto Rican, or other Spanish culture of origin. The racial / ethnic minority category represented in the data comprised of White (Non-Hispanic), Black or African American (Non-Hispanic), Hispanic, and Other (Non-Hispanic). The Other category includes American Indian or Alaska Native, Asian, Cape Verdean, and Native Hawaii or other Pacific Islander.

⁵ The race/ethnicity of youth appearing before the Juvenile Court in delinquency cases was known in 8,450 of the 10,294 cases (82%).

Figure 4.



Source: Office of the Commissioner of Probation, 2014.

Person offenses were the most common across gender lines, although the percentage share for males and females varied greatly (36.1% and 49.0%, respectively) (Figure 4). Property offenses were the next most common among males (30.9%), followed by other public order offenses (25.3%), controlled substance offenses (4.5%), and motor vehicle offense (3.2%). Other public order offenses were the second most frequently occurring crime for females (24.9%), followed by property offense (21.7%), controlled substance offenses (2.5%), and motor vehicle offense (1.9%).

Table 3. Statewide Juvenile Court Offenses – SFY 2012

| Offense Type | Total Number of Individuals per Offense | Percentage of Individuals per Offense |
|--------------------------|---|---------------------------------------|
| Murder/Manslaughter | 11 | 0.11% |
| Assaults | 2,539 | 25.79% |
| Rape/Sex Assault | 230 | 2.34% |
| Robbery | 290 | 2.95% |
| Threat/Intimidation | 523 | 5.31% |
| Violation of CRO/HPO | 35 | 0.36% |
| Other Violent Offenses | 139 | 1.41% |
| Larceny/Fraud | 921 | 9.36% |
| Burglary/B&E | 526 | 5.34% |
| Destruction of Property | 812 | 8.25% |
| Rec/Poss Stolen Property | 374 | 3.80% |
| Forgery/Uttering | 16 | 0.16% |
| Arson/Burn | 50 | 0.51% |
| Trespass | 343 | 3.48% |
| Other Property Offense | 90 | 0.91% |
| CSA Class A | 27 | 0.27% |

| | | |
|----------------------------|--------------|----------------|
| CSA Class B | 67 | 0.68% |
| CSA Class C | 17 | 0.17% |
| CSA Class D | 177 | 1.80% |
| CSA Class E | 44 | 0.45% |
| Conspiracy Viol CS Law | 38 | 0.39% |
| CSA School/Park/Plygd | 133 | 1.35% |
| Other CS Offense | 52 | 0.53% |
| Driving Under Influence | 23 | 0.23% |
| Other Major Motor Vehicle | 165 | 1.68% |
| Disturbing/Disorderly | 1,072 | 10.89% |
| Firearm Offense | 123 | 1.25% |
| Prostitution | 4 | 0.04% |
| Liquor Law Violation | 230 | 2.34% |
| Other Public Order Offense | 774 | 7.86% |
| Totals | 9,845 | 100.00% |

Source: Office of the Commissioner of Probation, 2014.

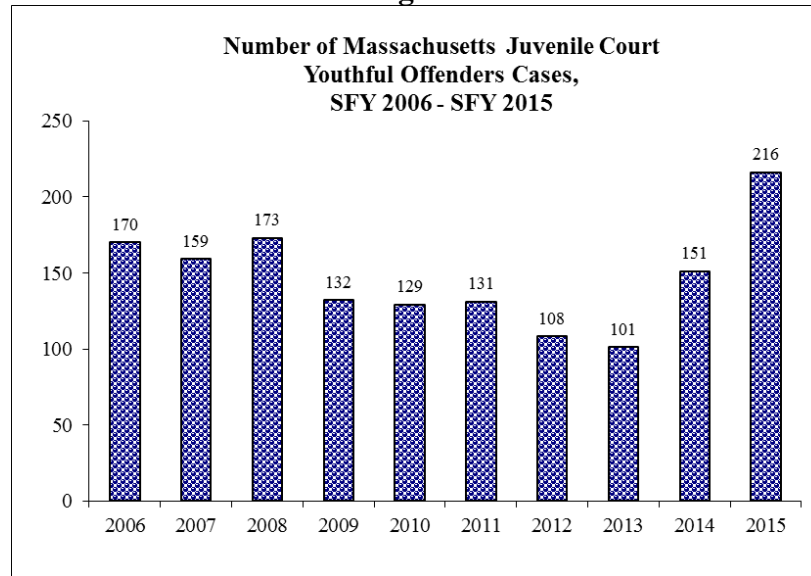
Youthful Offenders

A youthful offender is a person who has been indicted and is subject to an adult and/or juvenile sentence for having committed an offense while between the ages of 14 and 18 which, if he/she were an adult, would be punishable by imprisonment in the state prison [i.e. felonies] and:

- Has previously been committed to the Department of Youth Services (DYS); or
- Has committed an offense which involves the infliction or threat of serious bodily harm in violation of law; or
- Has committed a violation of [MGL, Chapter 269, §10(a)(c), (d), MGL, Chapter 269, §10E (firearm offenses)] (MGL, Chapter 119, §58).

In SFY 2015, there were 216 youthful offender cases heard before the juvenile court involving young people between ages 14 and 18 (Figure 5). During the five years between 2009 and 2013, the number of youthful offender cases had stabilized or declined. However, due to the raised age of juvenile court jurisdiction the number of cases rose in SFY 2014. In SFY 2014 and SFY 2015, the number of cases rose 50% and 43%, respectively from each preceding year. And not unlike the other offense categories previously discussed in this analysis of juvenile crime problems, males accounted for the overwhelming majority of individuals in cases seen before the juvenile court (95%).

Figure 5.



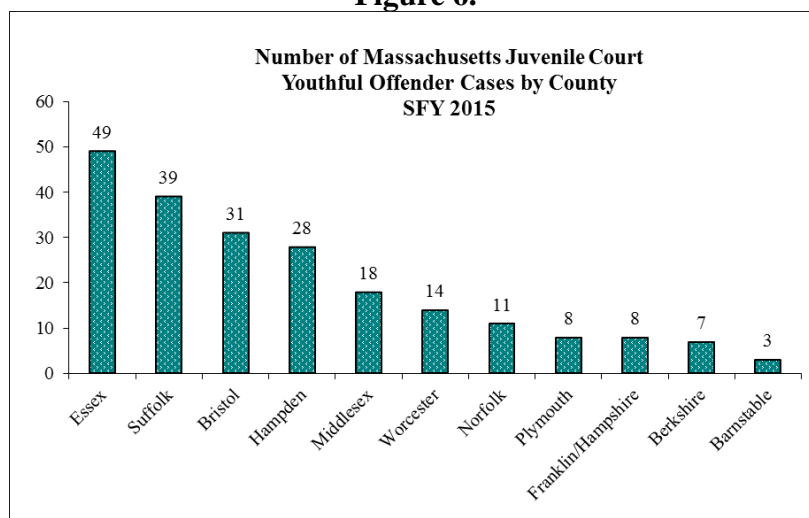
Source: Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Juvenile Case Types*, 2016.

*Please note that SFY 2012 data for Essex County Juvenile Court on the total number of youthful offender cases is unavailable and was therefore excluded from this analysis.

In SFY 2014, Essex, Suffolk, Bristol, and Hampden Counties together accounted for over two-thirds of the youthful offender population in the Commonwealth (68%), and the top five counties in descending order – Essex, Suffolk, Bristol, Hampden, and Middlesex – indicted more than three quarters (78%) of all the youthful offenders in the Commonwealth (Figure 6, page 12). These five counties contain seven of the ten most populous municipalities across the state, which may be one of the many variables likely contributing to these findings.⁶ Another variable may be differences between counties in the exercise of prosecutorial discretion to indict juveniles as youthful offenders.

⁶ Population data for 2010 was obtained from the U.S. Census Bureau. The ten most populous cities within the top five counties are: Essex County (Lynn), Suffolk County (Boston), Bristol County (New Bedford and Fall River), Hampden County (Springfield), and Middlesex County (Cambridge and Lowell).

Figure 6.



Source: Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Juvenile Case Types*, 2016.

*Please note that Barnstable County includes Dukes and Nantucket Counties.

Child Requiring Assistance (CRA)

In November 2012, Chapter 240 of the Acts and Resolves of 2012 amended the language in Massachusetts General Laws Chapter 119, §21 to replace the phrase Child in Need of Services (CHINS) with the term Child Requiring Assistance (CRA). A Child Requiring Assistance (CRA) is defined as a child between the ages of 6 and 18 who meets at least one of the following five criteria: (i) repeatedly runs away from the home of the child's parent, legal guardian or custodian; (ii) repeatedly fails to obey the lawful and reasonable commands of the child's parent, legal guardian or custodian, thereby interfering with their ability to adequately care for and protect the child; (iii) repeatedly fails to obey the lawful and reasonable regulations of the child's school; (iv) is habitually truant; or (v) is a sexually exploited child (MGL, Chapter 119, §21).

CRA applications are filed in order to initiate the process of providing services to minors. In SFY 2015, a total of 6,136 CRA applications were issued exclusively through the juvenile court. The number of applications for children requiring assistance had been steadily declining since SFY 2006 and had fallen to the lowest level in 2013, a 40% drop from the peak in 2006.⁷ This decline was reversed in SFY 2014 due to CRA applications increasing 4% from the previous year. The increased continued as applications again rose by 5% in SFY 2015 from SFY 2014.

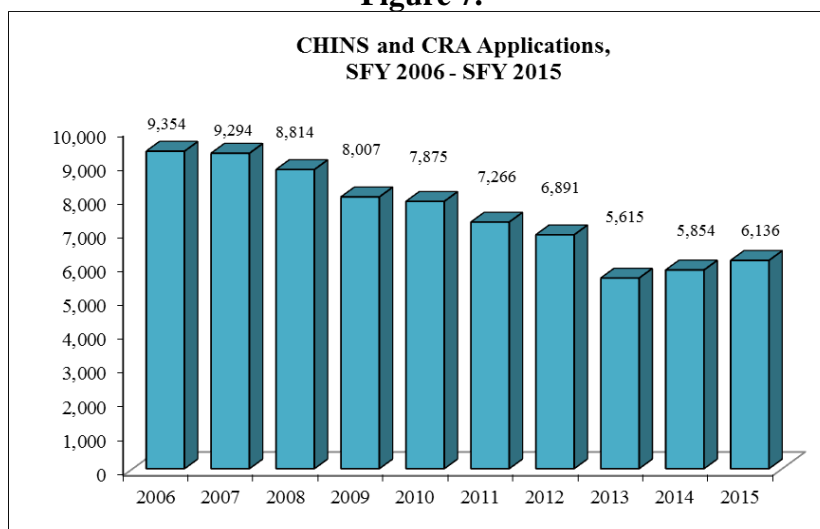
Of the CRA applications before the juvenile court in SFY 2015, more than half were for males (57%),⁸ and forty-three percent were White youth, followed by Hispanic youth (34%), then Black/African American youth (20%), and Other (3%).⁹ Figure 7, on page 13, displays the ten-year trends of CHINS and CRA cases before the juvenile courts.

⁷ Please note that SFY 2012 data for Essex County Juvenile Court and Norfolk County Juvenile Court on the total number of CHINS petitions issued is unavailable and was therefore excluded from this analysis.

⁸ The gender of youth appearing before the Juvenile Court in CRA cases was known in 5,843 of the 6,136 cases (95%).

⁹ The race/ethnicity of youth appearing before the Juvenile Court in CHINS and CRA cases was known in 4,488 of the 6,136 cases (73%).

Figure 7.



Source: Executive Office of the Trial Court, Department of Research and Planning, *Case Filings and Demographics of Selected Juvenile Case Types*, 2016.

(3) Formal Juvenile Court cases (by gender, race and type of disposition).

This section describes youth whose cases were handled formally, through both risk/need probation supervision and commitment to the Department of Youth Services (DYS).

Probation

What is known today as “probation”¹⁰ was first introduced in Boston by John Augustus, who came to be known as the “Father of Probation.” In 1841 he convinced the Boston Police Court to release a “common drunk” into his custody rather than incarcerating him – the customary action taken at that time. Ordered by the court to return in three weeks, the offender did so, surprising the court by his sobriety and changed demeanor. Augustus eventually expanded his efforts to include women and children. However, it wasn’t until April 26, 1878 that the first probation statute in the United States was passed by the Massachusetts legislature establishing a State probation system and sanctioning probation officers. The federal probation system was enacted in March 1925.

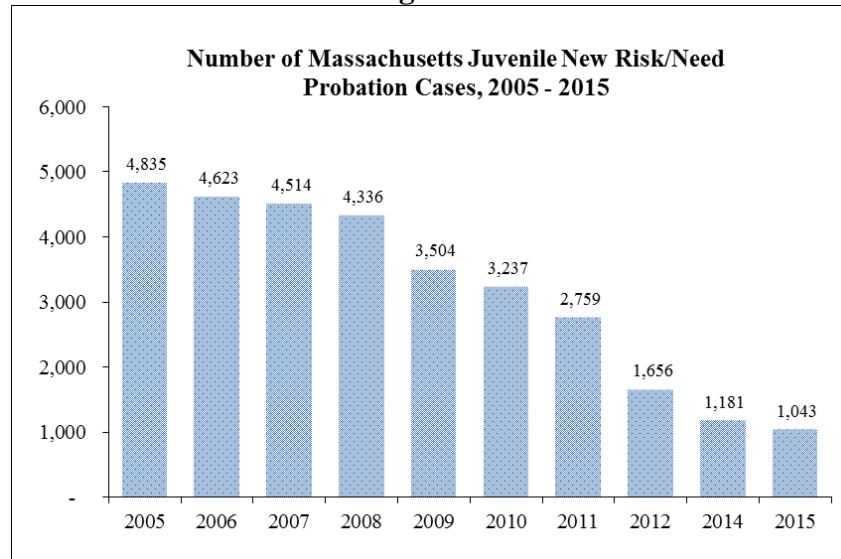
Within the Juvenile Court system, Juvenile Probation Officers are responsible for the supervision of children and young adults involved in delinquent, youthful and status offending behavior, along with, overseeing the welfare of children who are before Juvenile Court as subjects of parental abuse and neglect.

Risk/need probation applies to all felony, misdemeanor and delinquency cases where supervision is ordered by the Juvenile Court, with the exception of cases related to driving under the influence or where administrative supervision is ordered. Risk/need probation is exercised in those cases where supervision may benefit the juvenile while also mitigating the risk the

¹⁰ New York City Department of Probation, Online, Available: <http://www.nyc.gov/html/prob/html/about/history.shtml>.

individual may pose to the community; this determination is made utilizing an assessment tool¹¹ and classification process.¹² The number of new risk/need probation cases decreased 12% in the one-year period between calendar year 2014 (1,181) and 2015 (1,043) and dropped 78% over the ten-year period from 2005 (4,835) to 2015 (Figure 8).

Figure 8.



Source: Office of the Commissioner of Probation. 2016.

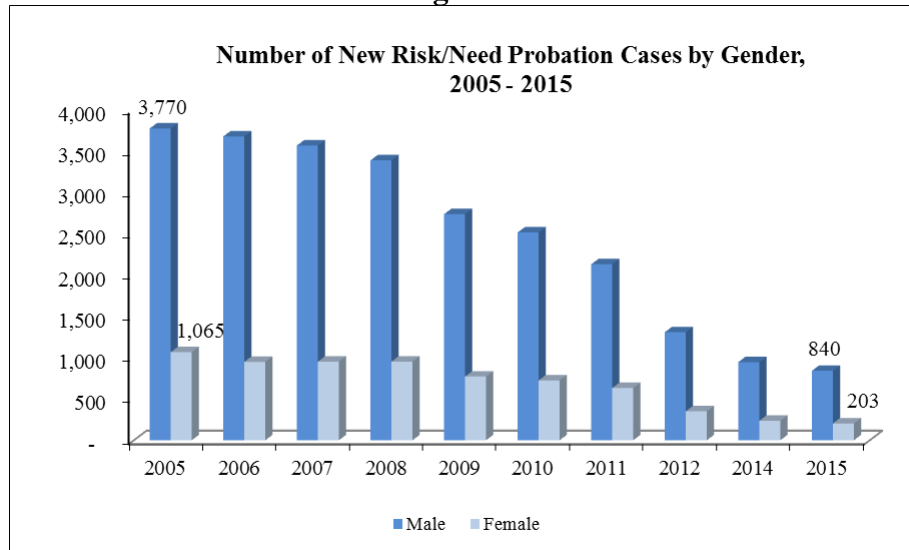
*Please note data for calendar year 2013 is not available.

For the past ten years, despite an overall downward trend in the total number of juveniles on new risk/need probation, males have consistently represented more than three-quarters of all such youth (Figure 9, page 15). Calendar year 2005 marked the peak for the number of males and females on risk/need probation (3,770 and 1,065, respectively), while 2015 figures were the lowest in a decade (840 and 203, respectively).

¹¹ The Massachusetts Office of the Commissioner of Probation adopted the Ohio Risk Assessment System (ORAS), a validated risk and need assessment tool. Accessed May 24, 2016. <http://www.drc.ohio.gov/web/oras.htm>.

¹² From the ORAS Statement of Purpose in Standards: The purpose of the Risk/Need Classification System and Probation Supervision is to implement a planned methodology for the assessment and supervision of the probationer to promote law-abiding behavior in the community and to reduce recidivism. Provided by the OCP, May 27, 2014, to EOPSS, for Results First program definitions.

Figure 9.

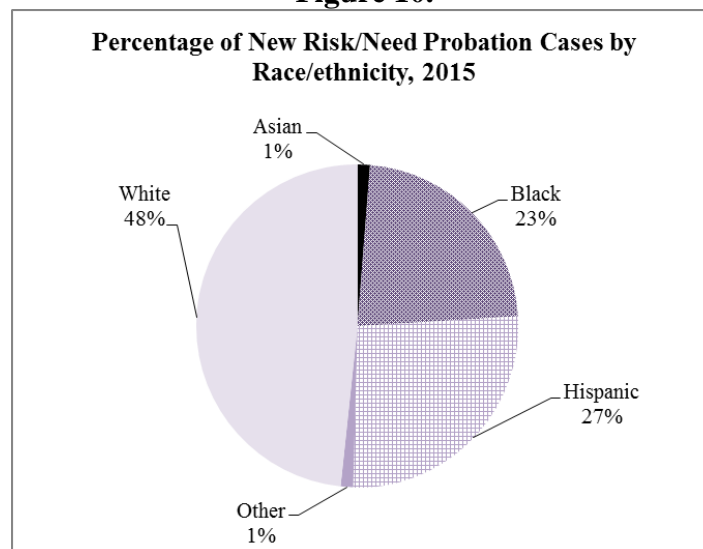


Source: Office of the Commissioner of Probation, 2016

*Please note data for calendar year 2013 is not available.

While males were overrepresented in new risk/need probation placements in 2015, white youth made up nearly as many of the juveniles as all of the minority youth combined (48.2% and 51.8%, respectively), although minorities make up less than one quarter of the state's population (Figure 10).¹³

Figure 10.

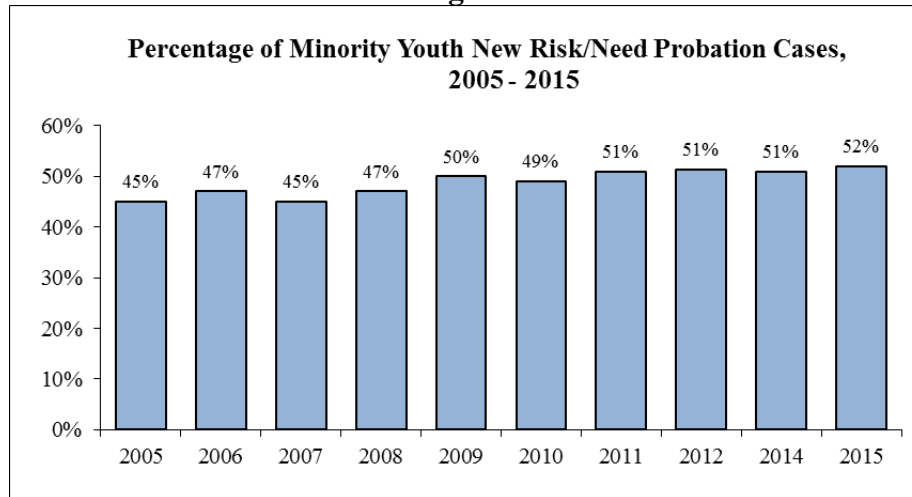


Source: Office of the Commissioner of Probation, 2016.

The percentage of minority youth placed on risk/need probation, as a percentage of the total risk/need population, has fluctuated over the past ten years, resulting in a 25% increase from a baseline of 45% in 2005 to a peak of 52% in calendar year 2015 (Figure 11, page 16).

¹³ 2014 Census figures for Massachusetts indicate that white persons comprise 82.6% of the total population within the Commonwealth.

Figure 11.



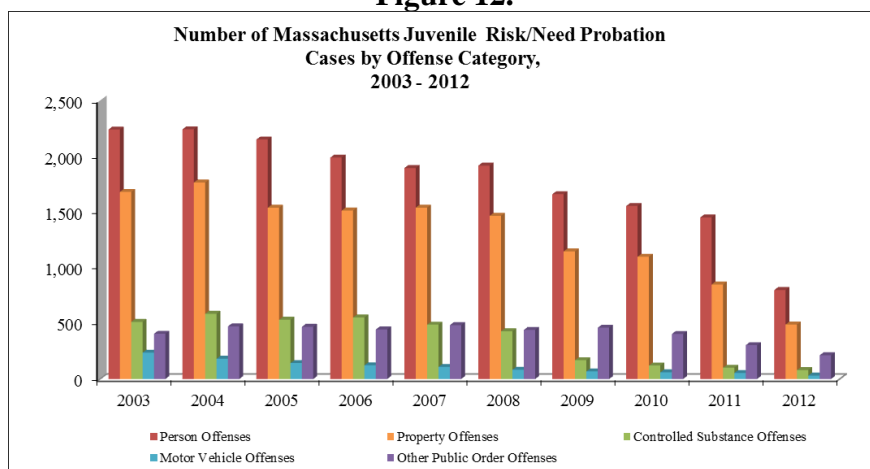
Source: Office of the Commissioner of Probation, 2016.

*Please note data for calendar year 2013 is not available.

In calendar year 2011, the Office of the Commissioner of Probation (OCP) began tracking two new racial/ethnic categories – Cape Verdean and Native American – that were previously captured in the catchall “Other” category. At the same time, the “Other” category was phased out altogether, resulting in the following six racial/ethnic classifications: Asian, Black, Cape Verdean, Hispanic, Native American, and White. In 2014, Middle Eastern was added to the racial/ethnic categories.

In 2012, nearly half of the offenses (49.6%) committed by juveniles resulting in a risk/need probation placement were person offenses, followed by property offenses (30.3%), other public order offenses (13.2%), controlled substance offenses (5.0%), and motor vehicle offenses (1.9%). When examining the offense categories over the ten-year period from 2003 to 2012, person offenses and other public order offenses have increased (12.3% and 65.2%, respectively) while property offenses, controlled substance offenses and motor vehicle offenses have declined (8.3%, 50.9%, and 58.6%, respectively). The rank order of these offense groups has remained stable over time, with person offenses accounting for the largest share of juvenile risk/need probation placements, followed by property offenses, controlled substance offenses, other public order offences, and motor vehicle offenses, until 2008, when controlled substance offense placements declined in favor of other public order offenses (Figure 12, page 17).

Figure 12.



Source: Office of the Commissioner of Probation, 2013

COMMITMENT TO THE DEPARTMENT OF YOUTH SERVICES (DYS)

Massachusetts has the distinction of establishing the nation's first juvenile correctional system in 1846 when it opened the Massachusetts State Reform School in Westborough. Subsequently the Lyman School for Boys opened in Westborough in the 1860's. By 1908 there were five such institutions – known as training schools. The initial philosophy that undergirded these institutions was the rehabilitation of juveniles and that this was best accomplished by not placing them in adult institutions. Unfortunately, over the decades the juvenile justice system became defined by mismanagement, high recidivism rates and reports of child abuse within the facilities. These criticisms culminated with the abolition of the Division of Youth Services, and the establishment of the Department of Youth Services as a separate state agency under the Executive Office of Health and Human Services in 1969. Reform efforts ultimately resulted in closing training schools in the early 1970's, leading to the deinstitutionalization of status offenders (i.e. runaways, truants, and stubborn children).¹⁴

When youth are “committed to DYS” it means that they have been adjudicated as a delinquent child on a complaint or as a youthful offender on an indictment, and, because of that adjudication, they will be in the legal custody of DYS until either age 18, 19 or 21. If a juvenile is adjudicated delinquent and committed to DYS he or she will usually be committed until age 18. In the situation of a child whose case is disposed of after he or she has attained his or her 18th birthday, he or she will be committed until age 19. If charged as a youthful offender, he or she could be committed until age 21.¹⁵ “Committed to DYS” does not necessarily mean in the physical custody of DYS and living in a DYS facility. The continuum of care for a juvenile who is committed to DYS is: Assessment, Residential Phase, Hardware/Secure Treatment, Staff Secure Treatment, Community Supervision, and Discharge.

In 2009, DYS implemented the Community Service Network model, a progression of the community supervision model utilized successfully by the department for the past decade. A significant change

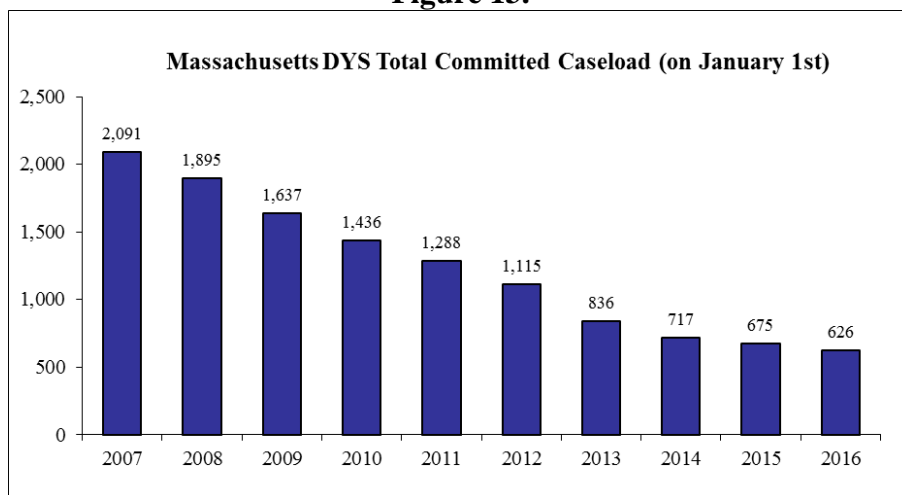
¹⁴ Department of Youth Services, *History of Youth Services*, Online, Available: <http://www.mass.gov/eohhs/gov/newsroom/dys/history/>

¹⁵ Massachusetts General Law, Chapter 119, Section 58.

with the new model is a return to a case management team format to deliver services to DYS youth in a specific geographic area or district rather than within a day reporting center.¹⁶

In 2016, there were 626 youth in the total DYS committed population,¹⁷ 318 of which were new DYS commitments. The number of individuals in the total DYS population on January 1, 2016 represents a decrease of 70% from the high of 2,091 in January 2007 (Figure 13).

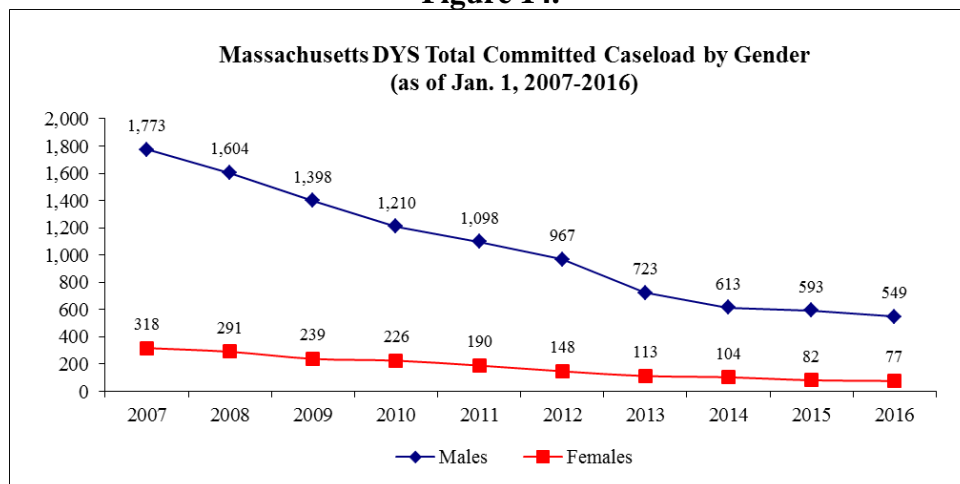
Figure 13.



Source: Massachusetts Department of Youth Services, 2016.

The majority of the juveniles in the DYS committed population on January 1, 2015 were male (88%). However, the number of males in the DYS committed population on January 1, 2016 was 69% lower than at its high in January 2007. The number of females in the DYS committed population on January 1, 2016 was 76% lower than at its peak in January 2007 (Figure 14).

Figure 14.



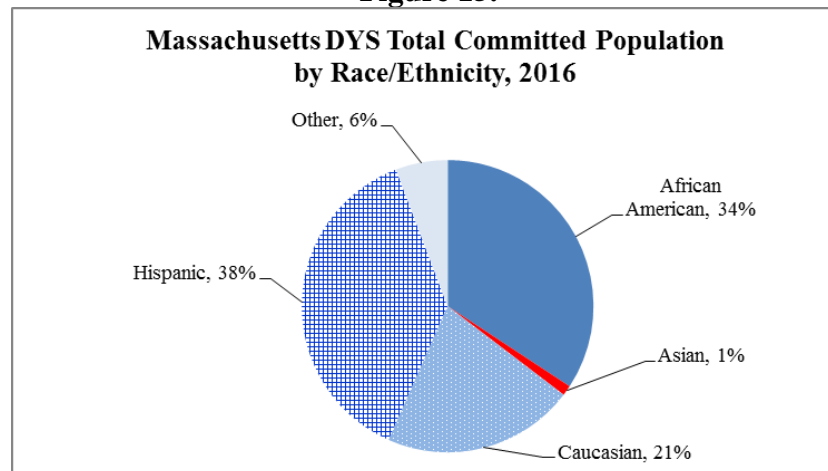
Source: Massachusetts Department of Youth Services, 2016.

¹⁶ Massachusetts Department of Youth Services, 2009 Annual Report, March 2011.

¹⁷ This is a point-in-time count on January 1, 2016.

Minority youth were overrepresented in the DYS total committed population in 2016 (Figure 15). Compared to the population of Massachusetts minority youth¹⁸ in 2014 (30%),¹⁹ 79% of DYS committed youth in 2015 were minority (34% African American, 38% Hispanic, 1% Asian, and 6% of some other race/ethnicity).²⁰

Figure 15.



Source: Massachusetts Department of Youth Services, 2016.

On January 1, 2016, the DYS committed population included individuals between the ages of 13 and 20. The majority was between the ages of 16 and 18 (75%) (Table 4).

Table 4. DYS Total Committed Population by Age

| Age | Total # | Total % |
|--------------|------------|-------------|
| Age 13 | 2 | 0.3% |
| Age 14 | 10 | 1.6% |
| Age 15 | 52 | 8.3% |
| Age 16 | 148 | 23.6% |
| Age 17 | 226 | 36.1% |
| Age 18 | 96 | 15.3% |
| Age 19 | 57 | 9.1% |
| Age 20 | 35 | 5.6% |
| Total | 626 | 100% |

Source: Massachusetts Department of Youth Services, 2016.

Note: this is the age at the time of commitment.

The majority of the DYS committed population from Suffolk County consists of 94% of minority youth (n=113), yet they represent 60%²¹ of that county's population.²² Similarly, of the

¹⁸ For comparison with the DYS committed population, youth are defined as ages 13-20.

¹⁹ Puzzanchera, C., Finnegan, T. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2014" Online. Available: <http://ojjdp.gov/ojstatbb/ezapop>

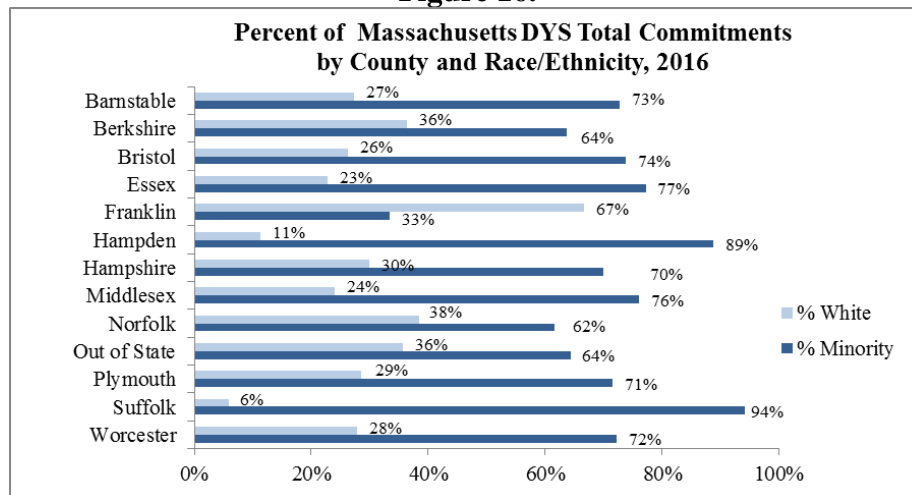
²⁰ Includes only DYS committed youth ages 13-20.

²¹ For comparison with the DYS committed population, youth are defined as ages 13-20.

²² Puzzanchera, C., Finnegan, T. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013" Online. Available: <http://ojjdp.gov/ojstatbb/ezapop>

youth from Hampden County committed to DYS, 89% are minority (n=102); however, they comprise just 44% of the county population. It is important to note that the City of Boston, which is the most populous in the state, is in Suffolk County and Springfield, the third most populous city is in Hampden County (Figure 16).

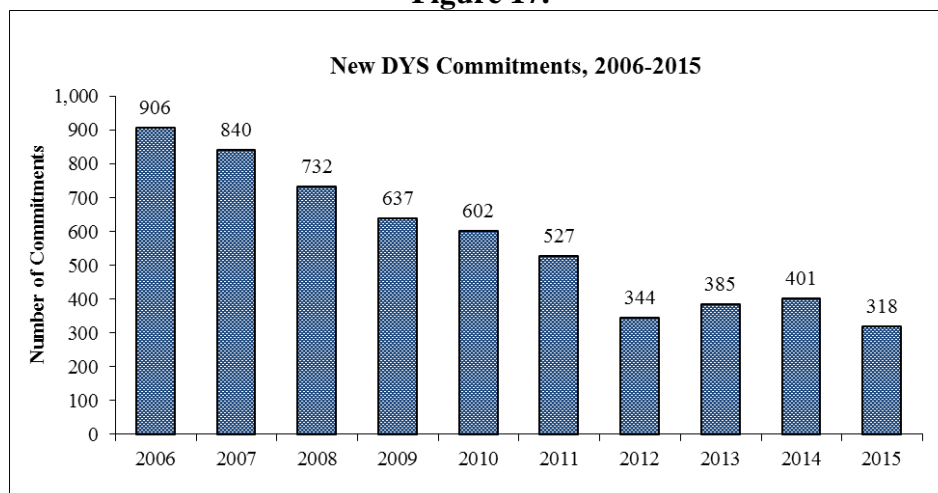
Figure 16.



Source: Massachusetts Department of Youth Services, 2016.

The number of new DYS commitments in 2015 fell 21% (n=318) from the previous year, and declined 65% from a high of 906 in 2006 (Figure 17).

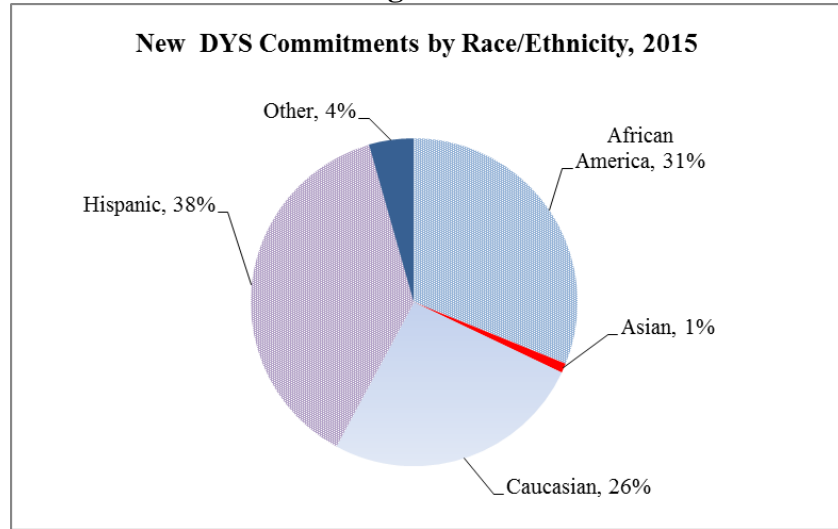
Figure 17.



Source: Massachusetts Department of Youth Services, 2016.

In 2015, three-quarters (74%) of new commitments to DYS were minority youth (Figure 18).

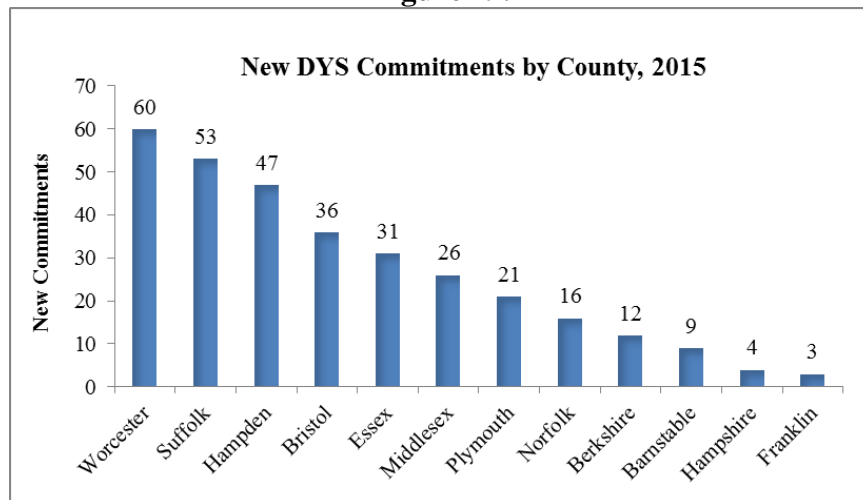
Figure 18.



Source: Massachusetts Department of Youth Services, 2016.

In 2015, half (50%) of the new DYS commitments were from Worcester, Suffolk, and Hampden counties (Figure 19).

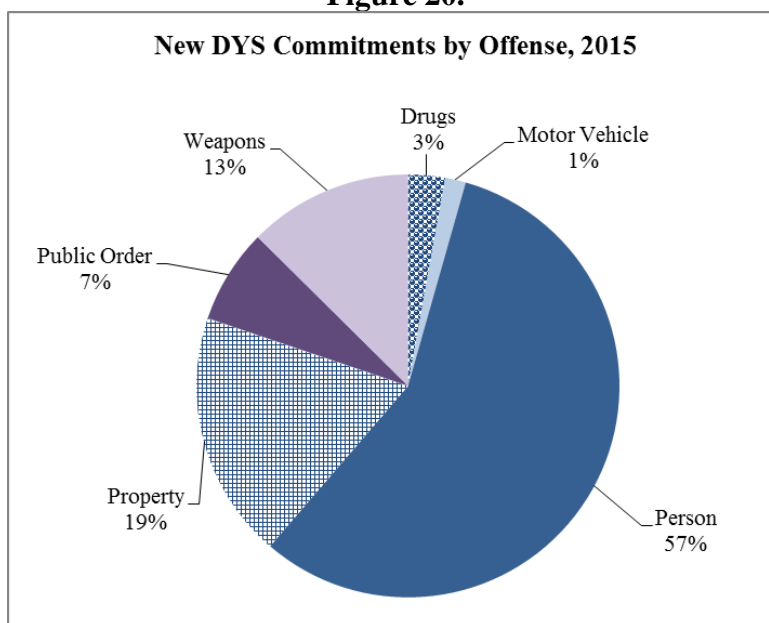
Figure 19.



Source: Massachusetts Department of Youth Services, 2016.

In 2015, 57% of newly committed youth were in DYS for person-related offenses, followed by 19% for property-related offenses (Figure 20).

Figure 20.



Source: Massachusetts Department of Youth Services, 2016.

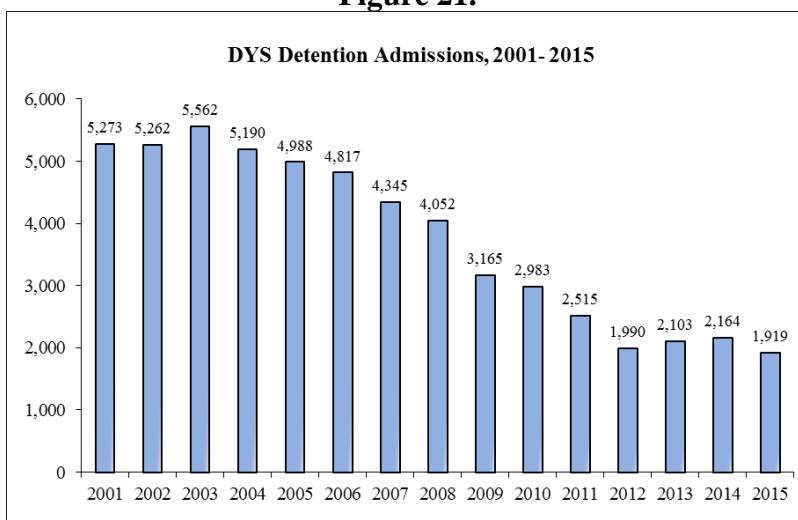
Secure Detention

Ideally, detention should be used for youth who are unlikely to appear in court if released or they have committed a certain serious offense and present a danger to others and the community. Despite the Commonwealth's efforts to minimize the use of detention through the Juvenile Detention Alternative Initiative (JDAI), many low-level offenders, who are often Hispanic and African-American, are placed in detention. Secure detention does more harm than good for those youth who are held on minor or nonviolent offenses. Detention further impedes a youth's healthy development, educational progress, and is likely to result in increased criminal activity.

According to DYS, in 2015 there were 1,919 juveniles sent to pre-trial detention.²³ The number of pre-trial detention admissions in 2015 declined 11% from the previous year and was 65% lower than the high of 5,562 in 2003 (Figure 21, page 23). The average daily number of youth held in pre-trial detention decreased from a high of 303 in 2003 to 122 in 2013, but increased to 180 in 2015.

²³ Not including juveniles previously committed to DYS custody.

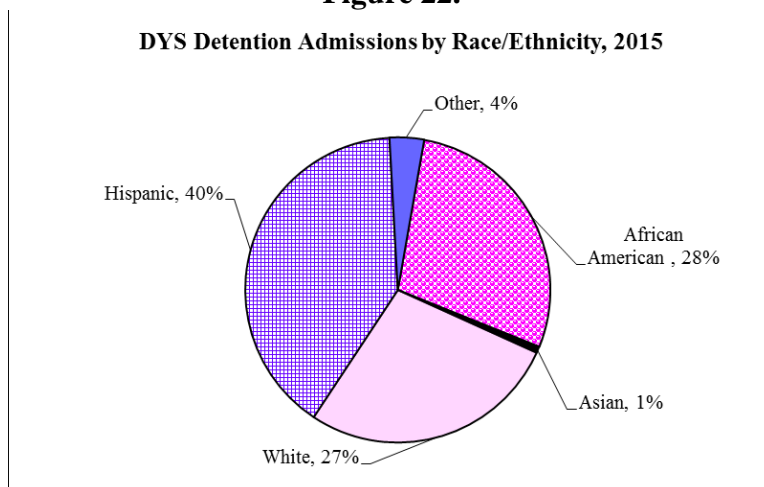
Figure 21.



Source: Massachusetts Department of Youth Services, 2016.

Similar to the DYS committed population, minority youth were also overrepresented in the 2015 DYS detainee population. Minority youth made up 73% of all DYS detentions, broken down as follows: 40% Hispanic youth, 28% African American youth, 1% Asian youth, and 4% youth of some other race/ethnicity (Figure 22).

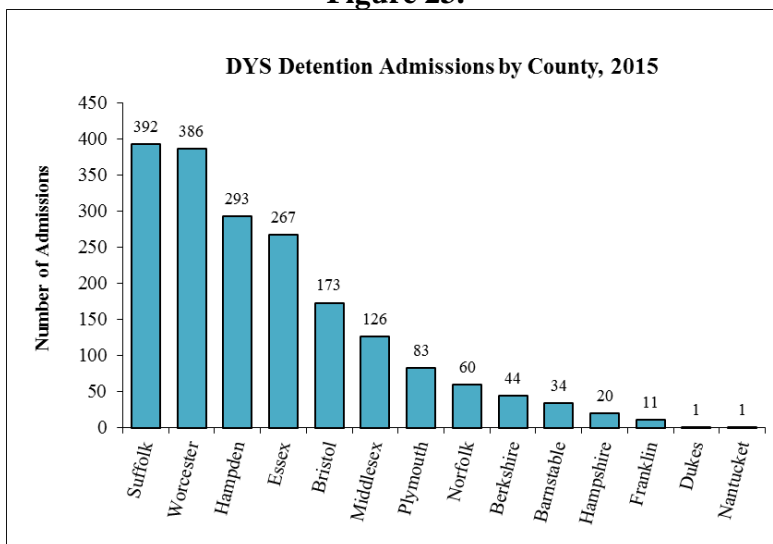
Figure 22.



Source: Massachusetts Department of Youth Services, 2016.

Suffolk County and Worcester County had the largest number of detentions in 2015; 392 and 386, respectively. These two counties accounted for 40% of the DYS detainee population (Figure 23).

Figure 23.

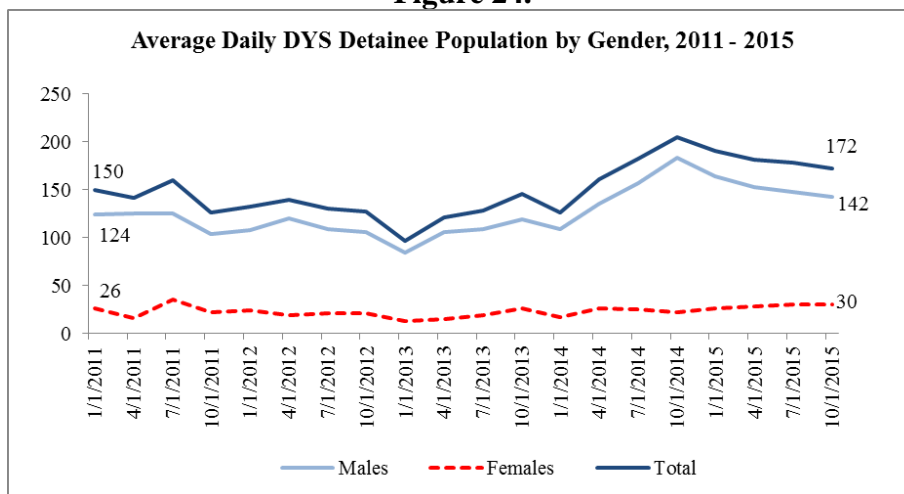


Source: Massachusetts Department of Youth Services, 2016.

Note: Chart does not include 28 out-of-state detentions.

On an average day in 2015, there were 152 males and 29 females held in secure pre-trial detention across Massachusetts.²⁴ Males continue to be overrepresented in detention placements with 84% of the average daily secure detention placements in 2015 (Figure 24).

Figure 24.

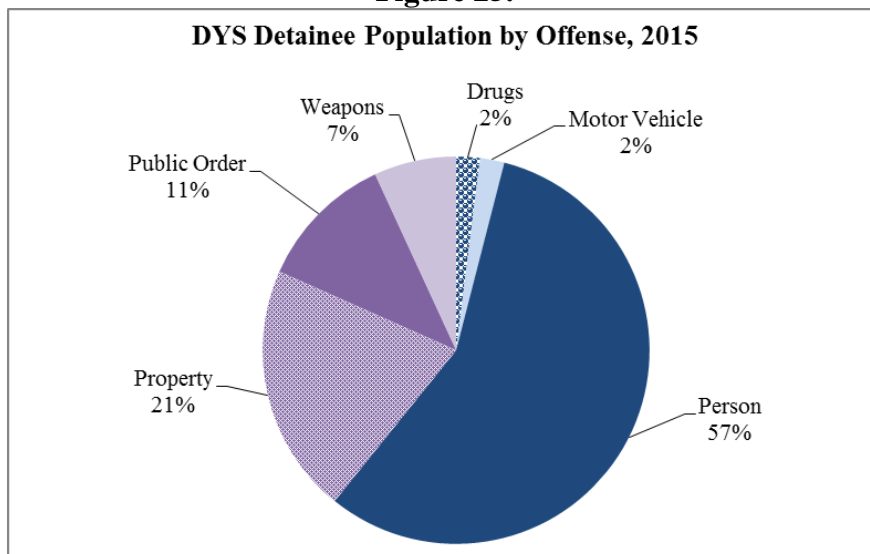


Source: Massachusetts Department of Youth Services, 2016.

²⁴ One-day counts from May 18, 2016.

Over half (57%) of the DYS pretrial detention population in 2015 were held for person-related offenses (Figure 25).

Figure 25.



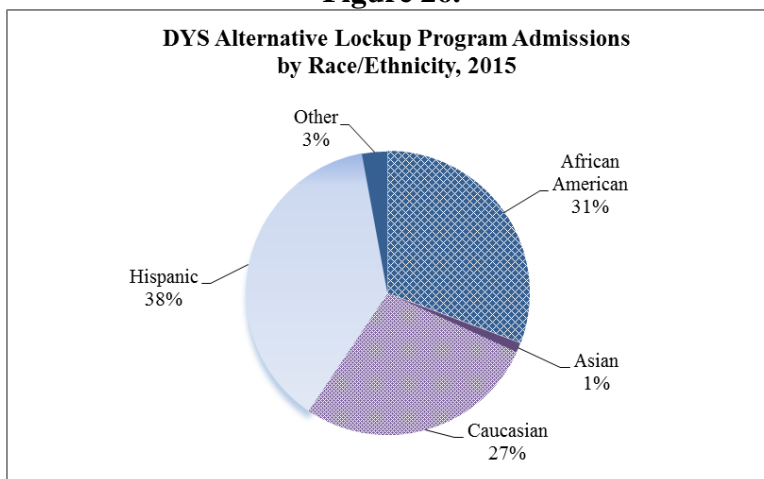
Source: Massachusetts Department of Youth Services, 2016

Alternative Lockup Program

The Alternative Lockup Program (ALP) is designed to relieve police departments of the burden of caring for alleged juvenile delinquents (children under 18 years of age) during non-court hours, thereby ensuring that no juvenile will be detained in a police lockup for longer than the federally mandated six-hour time limit.

Hispanic youth had the highest number of admissions (38%) to the ALP followed by African American youth (31%) (Figure 26).

Figure 26.



Source: Massachusetts Department of Youth Services, 2016.

The majority of youth admitted to the ALP in 2015 were between 15 and 17 years of age (82%). Youth 17 years of age were the largest group admitted to the ALP, and this may be attributed to 2013 legislation that increased the age of juvenile court jurisdiction from 16 to 17 (Table 5).

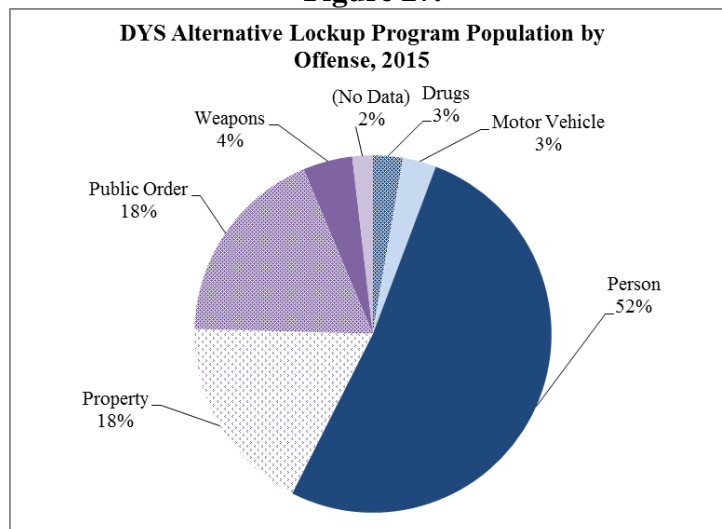
Table 5. Alternative Lockup Program Admissions by Age, 2015

| Age | Total | Percent |
|--------------|--------------|-------------|
| 11 | 6 | 0.3% |
| 12 | 21 | 1.1% |
| 13 | 81 | 4.4% |
| 14 | 219 | 12.0% |
| 15 | 418 | 22.8% |
| 16 | 493 | 27.0% |
| 17 | 592 | 32.3% |
| 18 | 2 | 0.1% |
| Total | 1,831 | 100% |

Source: Massachusetts Department of Youth Services, 2016.

Similar to the detainee population, the majority of youth admitted to an ALP were charged with a person-related offense (52%), followed by both property-related offenses and public order offenses (18%) (Figure 27).

Figure 27.



Source: Massachusetts Department of Youth Services, 2016.

(4) Other social, economic, legal and organizational conditions considered relevant to delinquency prevention programming.

There are many risk and protective factors associated with juvenile delinquency. This section gives a brief overview of the following:

- Child Abuse and Neglect
- Teen Pregnancy and Sexual Health
- Mental Health Disorders
- Economic Conditions
- School Dropouts and School Exclusions
- Youth Violence and School Safety
- Tobacco and Substance Abuse
- Recidivism

CHILD ABUSE AND NEGLECT

The Department of Children and Families (DCF) is the Massachusetts state agency responsible for protecting children under the age of 18 from child abuse and neglect. Massachusetts law requires professionals, referred to as mandated reporters, to notify DCF if they suspect child abuse or neglect. The Code of Massachusetts Regulations (110 CMR 2.00) defines abuse and neglect as follows:

- Abuse is “the non-accidental commission of any act by a caretaker upon a child under age 18 which causes, or creates a substantial risk of physical or emotional injury, or constitutes a sexual offense under the laws of the Commonwealth or any sexual contact between a caretaker and a child under the care of that individual. Abuse is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting.)”
- Neglect is the “failure by a caretaker, either deliberately or through negligence or inability to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is not dependent upon location (i.e., neglect can occur while the child is in an out-of-home or in-home setting.)”²⁵

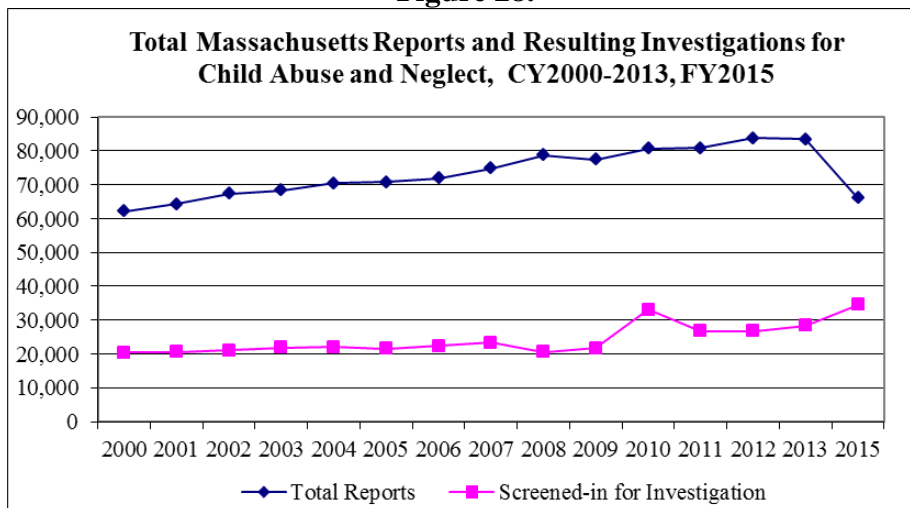
According to DCF, in FY 2015²⁶ there were 66,085 child abuse and neglect reports (51A) filed with the agency (Figure 28, page 28). Of those 66,085 reports, 34,532 or 52% were screened-in for investigation and another 8,174 or 12% were screened-in for an initial assessment (Figure 28, page 28). The total number of 51A reports filed in 2013 does not reflect a measurable change from the 2012 figure of 83,805. Although the number of reports that were screened-in for investigation increased by 1,563 – this too does not reflect a measurable change. Despite the static reporting in 2013 for child abuse and neglect, and the incomplete numbers for FY 2015,

²⁵ <http://www.mass.gov/courts/docs/lawlib/106-110cmr/110cmr2.pdf>

²⁶ DCF reported data by calendar year through 2013. Beginning July 1, 2014, DCF began reporting data by fiscal year (July 1, 2014 – June 30, 2015). As a result of this reporting change, data is not currently available for the fourth quarter (April 1 – June 30, 2015). Therefore, to state there is a decline in total reports as demonstrated in Figure 28 is an incorrect analysis.

the overall numbers remain particularly alarming given the relationship between child abuse and neglect and juvenile delinquency.

Figure 28.



Source: Department of Children and Families, 2016.

Violence is damaging whether one is directly victimized or indirectly exposed. “Explanations for Offending” a report published in May 2014 in Justice Research noted that “youth who experience poor parenting and have harsh, brittle relationships with their parents . . . are likely to have low self-control and therefore relatively high levels of offending at all ages.”²⁷ This is very disconcerting in light of the results of the National Survey of Children’s Exposure to Violence, published in October 2011, which noted 11% of children were exposed in some manner to family violence in the past year, including 6.6% who were exposed to intimate partner violence between parents or between a parent and their partner.²⁸ A report published in July 2004 in the National Institute of Justice Journal confirmed the findings of an earlier study, noting that “children who are physically abused and neglected have an increased risk of arrest for violence. . . . As a whole, the abused and neglected children were 11 times more likely to be arrested for a violent crime as a juvenile. . . .”²⁹ These research findings have serious repercussions for those youth who come under the care of the DCF, as well as the DYS.

In Massachusetts, youth receiving services from DCF are more likely to be overrepresented in detention. Usually referred to as “dual-involved,” in 2015, a total of 758 youth were involved with both DCF and DYS. According to a March 2014 report by the non-profit organization Citizens for Juvenile Justice, only 2.4% of Massachusetts children are receiving DCF services.³⁰ However in 2015, 35% of detained youth were dual-involved with DCF (Figure 29, page 29).³¹

²⁷ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. (2014). *Explanations for Offending* (NCJ Publication No. 243975). <https://www.ncjrs.gov/pdffiles1/nij/243975.pdf>

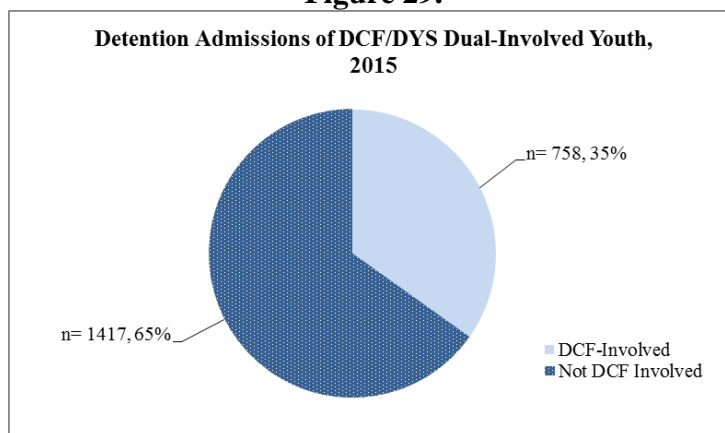
²⁸ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. (October 2011). *Children’s Exposure to Intimate Partner Violence and Other Family Violence*. <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/248444.pdf>

²⁹ Johnson, N. E. & Saccuzzo, D. P. (2004). Child Custody Mediation and Domestic Violence. *National Institute of Justice Journal*, (251), 23. <https://www.ncjrs.gov/pdffiles1/jr000251.pdf>

³⁰ Citizens for Juvenile Justice, (March 2014) “*Unlocking Potential: Addressing the Overuse of Juvenile Detention in Massachusetts*.”

³¹ Massachusetts Department of Youth Services, 2015.

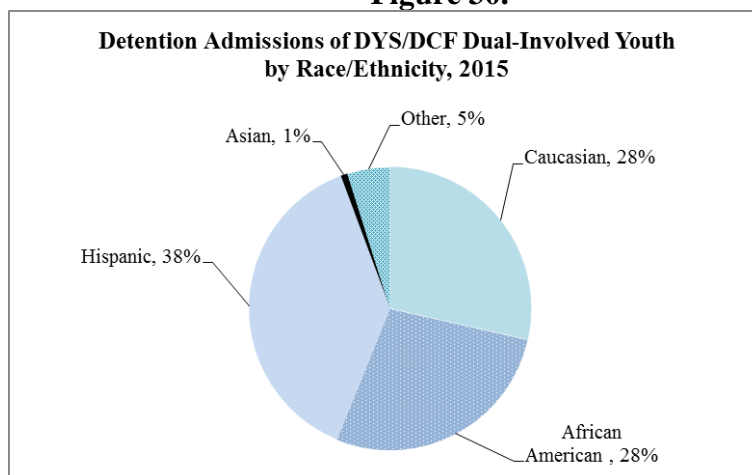
Figure 29.



Source: Massachusetts Department of Youth Services, 2016.

Minority youth are overrepresented in the percentage (72%) of DYS/DCF dual-involved youth (Figure 30).

Figure 30.



Source: Massachusetts Department of Youth Services, 2016.

Table 6 (page 30) portrays the racial and ethnic breakdown of DCF/DYS dual-involved youth by county. The disproportionate minority contact is evident in many Massachusetts counties, even those with a small number of dual-involved youth. For example, in Berkshire County minority youth³² comprise 15% of the population but represent 25% of DCF/DYS dual-involved youth. Similarly, in Bristol and Middlesex Counties minority youth comprise 21% and 29% of the population, but represent 63% and 69% of DCF/DYS dual-involved youth, respectively.

³² Youth are defined as ages 0 – 17.

Table 6. Percentage of Detention Admissions of DYS/DCF Dual-Involved Youth by County and Race/Ethnicity, 2015

| County | Caucasian | African American | Hispanic | Asian | Other | Total n |
|------------|-----------|------------------|----------|-------|-------|------------|
| Barnstable | 60.0% | 30.0% | 10.0% | 0.0% | 0.0% | 10 |
| Berkshire | 75.0% | 15.0% | 5.0% | 0.0% | 5.0% | 20 |
| Bristol | 37.5% | 29.7% | 17.2% | 0.0% | 15.6% | 64 |
| Essex | 32.8% | 10.4% | 53.6% | 0.8% | 2.4% | 125 |
| Franklin | 20.0% | 20.0% | 40.0% | 0.0% | 20.0% | 5 |
| Hampden | 11.5% | 27.9% | 56.6% | 0.8% | 3.3% | 122 |
| Hampshire | 50.0% | 0.0% | 33.3% | 0.0% | 16.7% | 6 |
| Middlesex | 31.3% | 20.9% | 35.8% | 0.0% | 11.9% | 67 |
| Nantucket | 100.0% | 0.0% | 0.0% | 0.0% | 0.0% | 1 |
| Norfolk | 63.2% | 36.8% | 0.0% | 0.0% | 0.0% | 19 |
| Plymouth | 52.2% | 21.7% | 4.3% | 0.0% | 21.7% | 23 |
| Suffolk | 8.6% | 54.3% | 33.6% | 1.4% | 2.1% | 140 |
| Worcester | 34.8% | 21.9% | 41.3% | 1.3% | 0.6% | 155 |

Source: Massachusetts Department of Youth Services, 2016.

TEEN PREGNANCY AND SEXUAL HEALTH

Research has consistently shown the connection between childhood maltreatment and future delinquent behavior. One longitudinal study found that physically abused children were at greater risk of being arrested as juveniles, more likely to drop out of high school, and more likely to have been a teen parent (Langsford et al. 2007). A 2004 report issued by the Child Welfare League of America found that sexual abuse in young girls was directly tied to delinquency. In comparison to non-offenders, childhood sexual abuse often led to engagement in unsafe sexual practices and early sexual activity, resulting in teen pregnancy and the contraction of sexually transmitted diseases. A study four years later conducted by the University of Wisconsin-Madison found that despite a decline in the overall rates of juvenile delinquency in the United States, the number of female youth being arrested and held in secure facilities has been on the rise. And while many of the factors that lead to delinquency are the same for both males and females, the delinquency of girls' is often preceded by a history of sexual abuse. Girls who are intimately involved with delinquent males are more likely to become deviant themselves, and girls who engage in deviant behavior are also more likely to choose male offenders as romantic partners.

Results from the 2013 Massachusetts Youth Risk Behavior Survey (MYRBS), a self-reported instrument administered to 9,185 students in 144 public middle and high schools every odd-numbered year by the Massachusetts Department of Elementary and Secondary Education (DESE), indicate that:

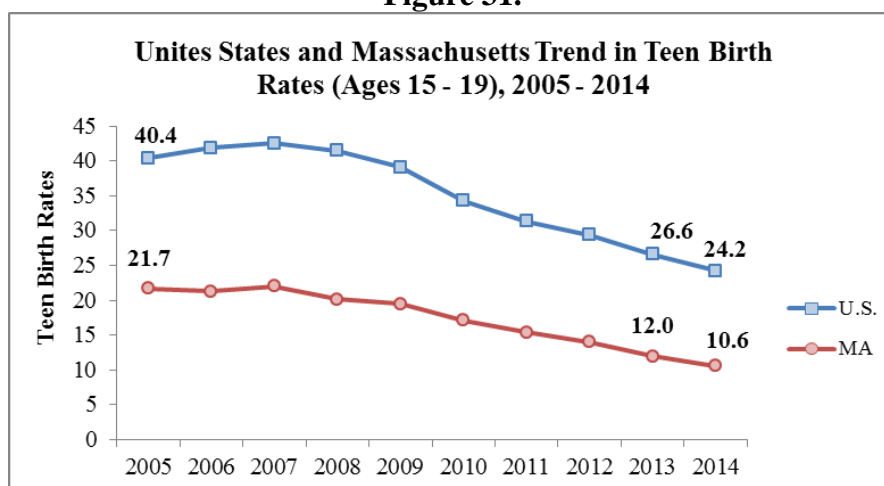
- 38% of high school students have had sexual intercourse;
- 28% of high school students had intercourse in the three months prior to the survey;
- 3% of high school students had sexual intercourse for the first time before age 13;

- 9% of high school students reported having four or more partners in their lives;
- 3% of high school students have been pregnant or impregnated someone else;
- 42% of high school students who had recent sexual intercourse did not use a condom; and
- 2% of students reported a diagnosis of HIV or another STD.

In 2013, 2,732 babies were born to young women in Massachusetts ages 15-19. Teen mothers who gave birth during this time were less likely than their adult counterparts in Massachusetts to breastfeed, be married, and receive adequate prenatal care. Teen mothers were also more likely to smoke during pregnancy, have babies with low birth weights, and receive publically-funded prenatal care (Massachusetts Department of Public Health, 2013).

The Massachusetts Department of Public Health (DPH) reported that the overall teenage childbirth rate in the Commonwealth of 10.6 in 2014 was well below the national average of 24.2 and a 51% reduction from 2005, and a 12% decline from the previous year (Figure 31).

Figure 31.



Source: *Massachusetts Births 2014*, Boston, MA: Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. September 2015. <http://www.mass.gov/eohhs/docs/dph/research-epi/birth-report-2014.pdf>

The National Campaign to Prevent Teen and Unplanned Pregnancy, *Teen Birth Rate Comparison, 2014*, <https://thenationalcampaign.org/data/compare/1701>

Note: Teen birth rate is the number of births to females ages 15-19 per 1,000 females ages 15-19.

Statistics confirm the following 23 Massachusetts communities in descending order had birth rates higher than the national average in 2014. Of these 23 communities, seven communities saw an increase in the teen birth rates in 2014 compared to 2013 rates (Table 7, page 32).

Table 7. Trends in Teen Birth Rates for Selected Massachusetts Communities with Rates Higher than the National Rate (24.2) and State Rate (10.6)

| 2014 Rank | Municipality ³³ | 2013 | | 2014 | | 13-14 Rate Percent Change |
|-----------|----------------------------|-----------------------|-----------------|-----------------------|----------------------------------|---------------------------|
| | | Number of Teen Births | Teen Birth Rate | Number of Teen Births | Teen Birth Rate ^{34,35} | |
| | State Total | 2,732 | 12.0 | 2,402 | 10.6 | -11.7 |
| 1 | Chelsea | 55 | 45.9 | 59 | 49.3 | 7.4 |
| 2 | Athol | 9 | 24.5 | 17 | 46.2 | 88.6 |
| 3 | Holyoke | 70 | 46.4 | 60 | 39.8 | -14.2 |
| 4 | Lawrence | 139 | 40.9 | 121 | 35.6 | -13.0 |
| 5 | Springfield | 289 | 42.3 | 239 | 35.0 | -17.3 |
| 6 | Southbridge | 25 | 43.8 | 19 | 33.3 | -24.0 |
| 7 | New Bedford | 126 | 41.5 | 101 | 33.3 | -19.8 |
| 8 | Lynn | 106 | 32.9 | 94 | 29.2 | -11.2 |
| 9 | Fall River | 89 | 32.0 | 79 | 28.4 | -11.3 |
| 10 | Brockton | 96 | 28.6 | 88 | 26.2 | -8.4 |
| 11 | Pittsfield | 37 | 27.6 | 32 | 23.9 | -13.4 |
| 12 | Fitchburg | 38 | 21.4 | 41 | 23.1 | 7.9 |
| 13 | Haverhill | 40 | 22.3 | 41 | 22.9 | 2.7 |
| 14 | Lowell | 106 | 25.7 | 89 | 21.6 | -16.0 |
| 15 | Revere | 37 | 25.8 | 30 | 20.9 | -19.0 |
| 16 | Chicopee | 44 | 23.4 | 35 | 18.6 | -20.5 |
| 17 | Worcester | 179 | 23.2 | 126 | 16.3 | -29.7 |
| 18 | Framingham | 32 | 13.6 | 35 | 14.9 | 9.6 |
| 19 | Leominster | 30 | 22.9 | 18 | 13.8 | -39.7 |
| 20 | Attleboro | 16 | 11.9 | 18 | 13.4 | 12.6 |
| 21 | Everett | 25 | 19.0 | 17 | 12.9 | -32.1 |
| 22 | Somerville | 16 | 9.4 | 22 | 12.9 | 37.2 |
| 23 | Boston | 318 | 12.2 | 276 | 10.6 | -13.1 |

Source: *Massachusetts Births 2014* (Table 7) Boston, MA: Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. September 2015. <http://www.mass.gov/eohhs/docs/dph/research-epi/birth-report-2014.pdf>

DPH data further indicates that teen birth rates vary considerably by race/ethnicity, although rates dropped from 2004 to 2014 for all young women in the 15-19 age group. Hispanic teens had the highest birth rate followed by Black teens; Asian teens had the lowest birth rate. From 2004 to 2014, the White teen birth rate decreased 60% (from 13.4 to 5.4); the Black teen birth

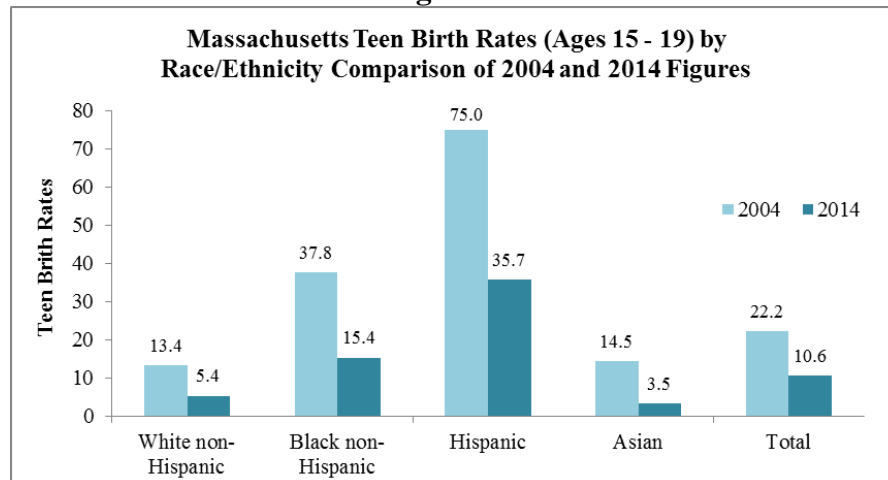
³³ Selected communities include the Massachusetts cities and towns with a birth rate higher than the national rate and state rate in 2014.

³⁴ Rates are per 1,000 females ages 15-19 per city/town.

³⁵ Birth rates for cities and towns were calculated using the Massachusetts Department of Public Health Race Allocated Census 2010 Estimates file (MRACE 2010), which is the most up-to-date information available on the number of persons by age, race, and sex at the sub-state level. Please note: If the population in your community increased from 2010 to 2013, the rates listed may overestimate the actual rate. If the population in your community declined from 2010 to 2013, the rates given in the publication may underestimate the actual rate.

rate decreased 59% (from 37.8 to 15.4); the Hispanic birth rate decreased 52% (from 75.0 to 35.7); and the Asian teen birth rate decreased 76% (from 14.5 to 3.5) (Figure 32).

Figure 32.



Source: *Massachusetts Births 2014* (Table 7) Boston, MA: Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. September 2015. <http://www.mass.gov/eohhs/docs/dph/research-epi/birth-report-2014.pdf>

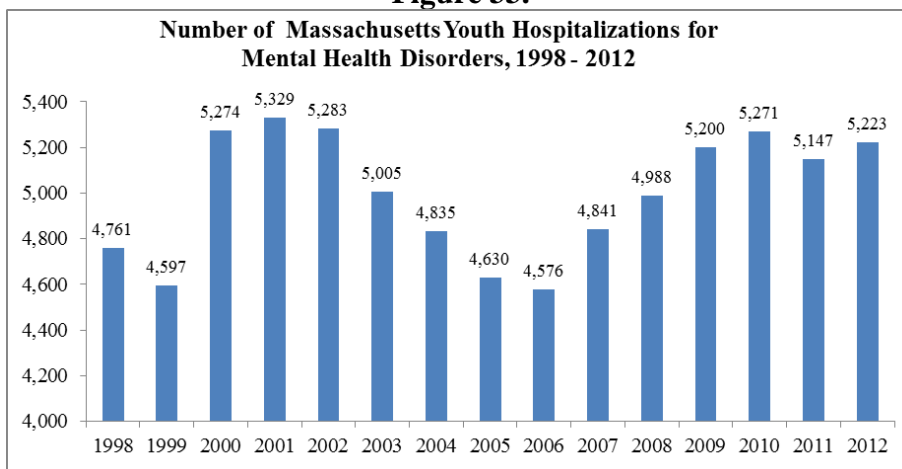
MENTAL HEALTH DISORDERS

Over the past two decades, practitioners have become increasingly more aware of and concerned with the relationship between youth involved in the juvenile justice system and mental illness. A 2006 study by the National Center for Mental Health and Juvenile Justice (NCMHJJ), in conjunction with the Council of Juvenile Correctional Administrators (CJCA), found that “...the majority (70.4%) of youth in the juvenile justice system meet criteria for at least one mental health disorder...In addition, the results of this study indicate that youth in contact with the juvenile justice system experience high rates of disorder across the various types of mental health disorders.”³⁶ Studies such as this one conducted by the NCMHJJ and the CJCA demonstrate the clear need for the availability of and access to mental health services for detained youth.

According to a 2004 report issued by the Commonwealth of Massachusetts titled, *Massachusetts Juvenile Justice Data and Information*, many youth dealing with mental health disorders that are not under the control of the juvenile justice system are not referred to hospitals for treatment. However, due to the scarcity of available data on mental illness, information tracking the number of annual hospital discharges for youth under the age of 19 is still helpful in our analysis of these trends. Data compiled by DPH for calendar year 2012 shows that 5,223 youth ages 19 and under were hospitalized for mental health disorders, a slight increase (1.5%) from the previous year (Figure 33, page 33).

³⁶ National Center for Mental Health and Juvenile Justice. (2006). Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study. Accessed June 15, 2015: <http://www.ncmhjj.com/wp-content/uploads/2013/07/7.-PrevalenceRPB.pdf>.

Figure 33.

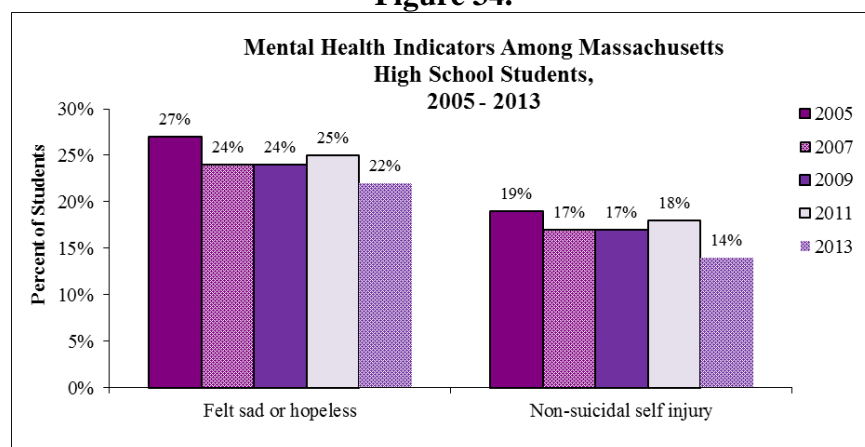


Source: Massachusetts Department of Public Health, 2015.

Note: Hospital Discharge with a Primary Diagnosis. Youth is defined as anyone under the age of 20.

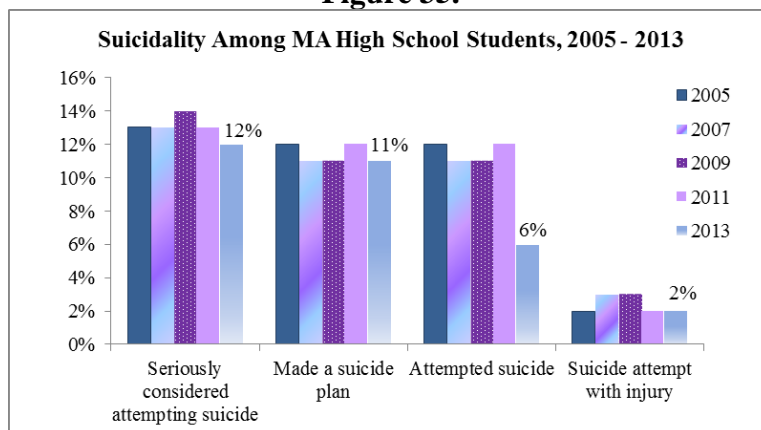
In addition to hospitalization discharge statistics, MYRBS data from 2013 provides a strong indication of the mental health of middle-school students and teens in the Commonwealth. Survey results reveal that 22% of high school students reported feeling hopeless or sad daily for at least a two week period within the past year causing them to cease participation in normal activities. That same year, 42% of students reported that they felt the need to talk to an adult regarding their feelings or current issues in their lives, and 11% of students sought out a psychologist, school counselor or nurse. And of greatest concern, 14% of students reported intentionally hurting themselves (Figure 34), 13% seriously considered suicide, 11% established a suicide plan, 6% attempted suicide, and 2% had a suicide attempt with injury (Figure 35, page 35).

Figure 34.



Source: Department of Elementary and Secondary Education, *Health and Risk Behaviors of Massachusetts Youth 2013*, May 2014.

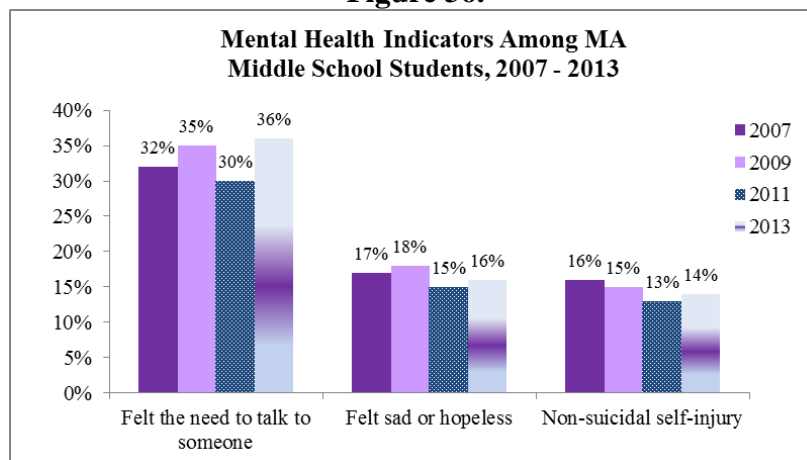
Figure 35.



Source: Department of Elementary and Secondary Education, *Health and Risk Behaviors of Massachusetts Youth 2013*, May 2014.

In 2013, 36% of middle school students reported they felt a need to talk to an adult during the past year about how they were feeling or problems they had, an increase from 30% in 2011, and 8% sought out a school psychologist or counselor. Sixteen percent (16%) of middle school students reported feeling daily sadness or hopelessness for at least two weeks during the past year that they did not engage in their regular activities. Approximately one-in-seven middle school students (14%) reported a non-suicidal self-injury during the past year (Figure 36).

Figure 36.



Source: Department of Elementary and Secondary Education, *Health and Risk Behaviors of Massachusetts Youth 2013*, May 2014.

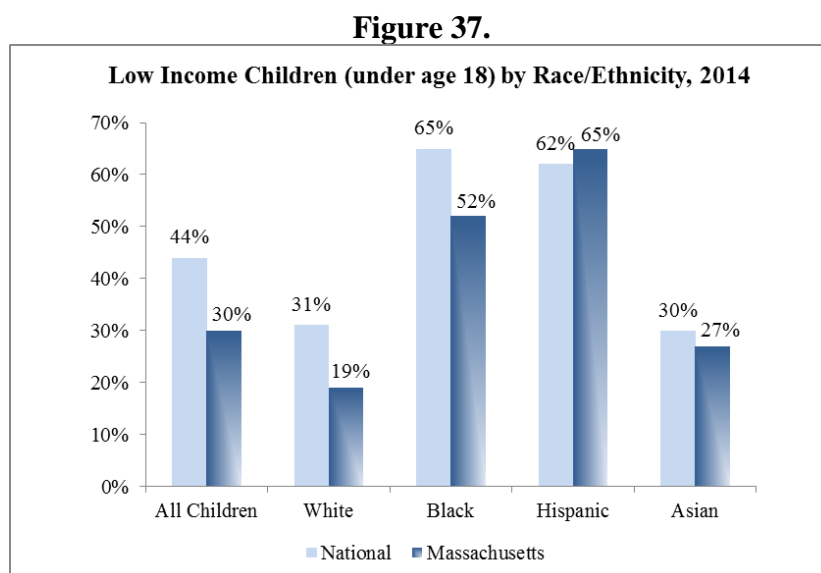
ECONOMIC CONDITIONS

Due to established links between poverty and crime, it is important to take economic conditions into consideration when looking at juvenile justice issues in Massachusetts. This section looks at the income levels of children and families in Massachusetts.

Data compiled by the National Center of Children in Poverty (NCCP)³⁷ revealed that in 2014, 30% of Massachusetts children (those under 18 years of age) were low-income³⁸ compared to 44% nationally. Furthermore, 15% of Massachusetts children reside in poor families³⁹ compared to 21% nationally. Additional Massachusetts data illustrates the economic insecurity of many children from low-income families:

- 26% (105,112) of children in low-income families do not have an employed parent;
- 81% (74,183) of children whose parents do not have a high school degree live in low-income families;
- 61% (248,058) of children in low-income families live with a single parent;
- 32% (137,930) of children under age six live in low-income families;
- 27% (107,763) of children in low-income families live in owner-occupied housing;
- 19% (75,542) of children in low-income families moved in the last year; and
- 7% (27,554) of children in low-income families live in families with no parent present.

Figure 37 shows minority children were disproportionately represented among low-income families.



Source: National Center of Children in Poverty, accessed April 29, 2016, http://www.nccp.org/profiles/state_profile.php?state=MA&id=6

Children who live in poor families are represented by the following demographics:

- 43% (86,729) of children in poor families do not have an employed parent;
- 56% (51,124) of children whose parents do not have a high school degree live in poor families;
- 74% (149,439) of children in poor families live with a single parent;
- 17% (73,445) of children under age 6 live in poor families; and

³⁷ National data were calculated from the 2014 American Community Survey, representing information from 2014. State data were calculated from the 2010 – 2014 American Community Survey, representing information from the years 2010-2014.

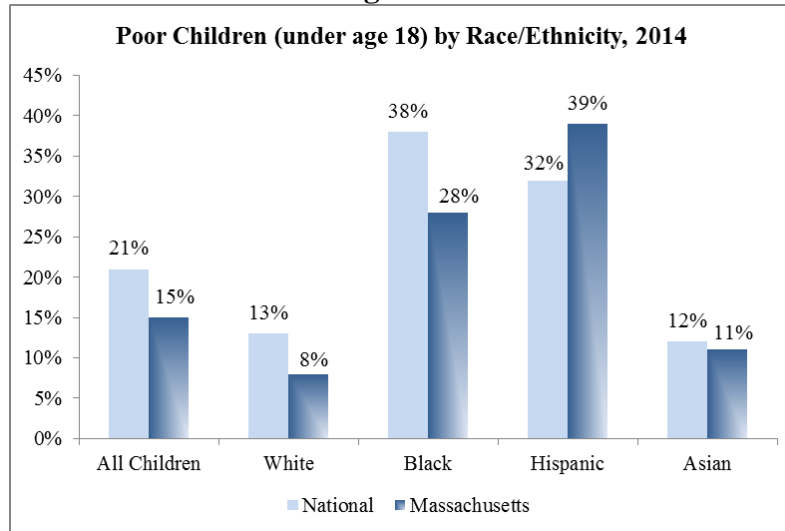
³⁸ Low income is defined as a family of four with two children earning less than \$48,016 annually in 2014.

³⁹ The federal poverty level is \$24,008 for a family of four with two children in 2014. Families and children are defined as poor if family income is below the federal poverty threshold.

- 15% (30,739) of children in poor families live in owner-occupied housing.
- 21% (43,270) of children in poor families moved in the last year; and
- 7% (13,358) of children in poor families live in families with no parent present.

Similar to the chart on the preceding page, minority children were disproportionately represented among poor families (Figure 38).

Figure 38.



Source: National Center of Children in Poverty, accessed April 29, 2016, http://www.nccp.org/profiles/MA_profile_7.html

JUVENILE COURT CARE AND PROTECTION CASES

Care and Protection cases in Massachusetts are heard in the Juvenile Court.⁴⁰ The following characteristics unique to the of care and protection proceedings of children are found in Massachusetts General Laws, Chapter 119, Section 26:

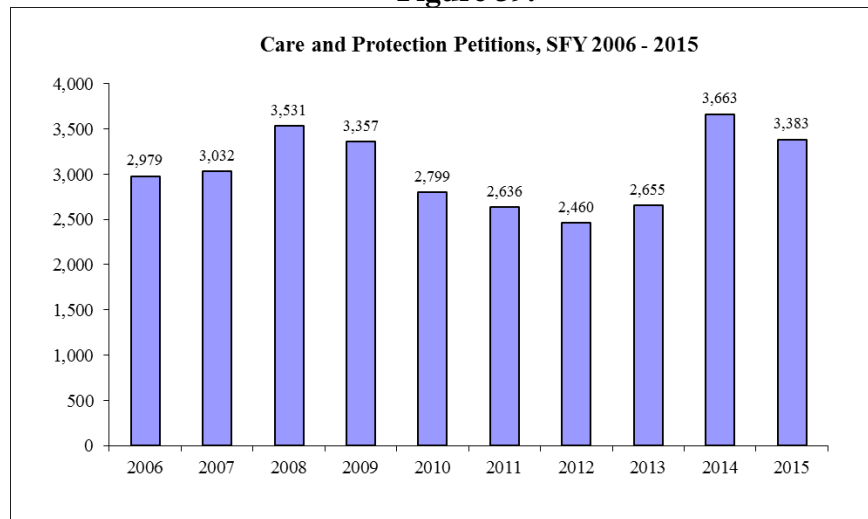
- If the court finds the allegations in the Care and Protection petition proved, it may adjudged that the child is in need of care and protection.
- If the child is adjudged to be in need of care and protection, the court may commit the child to the custody of DCF until he becomes an adult or until the object of his commitment has been accomplished.
- The Court may also make any other appropriate order, including permitting the child to remain with a parent, guardian or other custodian or transferring temporary or permanent legal custody to:
 - a) any person, including the child's parent, who is found by the court to be qualified to give care to the child;

⁴⁰ The Court Reorganization Act of 1992 authorized the establishment of a statewide juvenile court. The Juvenile Court Department has general jurisdiction over delinquency, children in need of services, care and protection petitions, adult contributing to a delinquency of a minor cases, adoption, guardianship, termination of parental rights proceedings, and youthful offender cases.

- b) any agency or other private organization licensed or otherwise authorized to receive and care for the child; or
- c) the department of children and families.

Statistics available on the Massachusetts Trial Court's website⁴¹ indicate that in state fiscal year 2015, there were 3,383 Care and Protection Petitions in the Juvenile Court.⁴² The number of Care and Protection cases has ranged from a low of 2,460 in 2012 to a peak of 3,668 in 2014, a 49% increase, and dropping 8% in 2015 (Figure 39).

Figure 39.



Source: Massachusetts Trial Court, Trial Court Statistics State Fiscal Year 2015, Juvenile Court Department, 2016

<http://www.mass.gov/courts/docs/courts-and-judges/courts/juvenile-court/2015-stats.pdf>

SCHOOL DROPOUTS AND SCHOOL EXCLUSIONS

“Risk factors” and “protective factors” are phrases commonly used when examining the relationship between school failure and juvenile delinquency. Risk factors refer to variables that increase the likelihood of a youth to engage in destructive behavior, often leading to poor academic performance. Protective factors, on the other hand, represent the availability of resources to promote the healthy growth of a child, both at home and in the classroom, and when needed, to act as a shield against identified risk factors. The greater the degree of protective factors, the more likely the child will be to overcome adversity in the home or in a school setting (Florida Department of Education, *School Staff Guide to Risk and Resiliency*, 1998).

⁴¹ www.mass.gov/courts

⁴² Note: "Delinquency complaints" in Juvenile Court represent the same data point as "juvenile charge" in District Court. For the purposes of this report, "delinquency complaints" includes both delinquency complaints and juvenile charges. The Court Reorganization Act exempted the Brookline District Court and Gloucester District Court from relinquishing jurisdiction to the Juvenile Court Department.

School Dropouts

Studies have shown that the failure to graduate from high school results in lower annual earnings, higher unemployment rates and a greater risk for incarceration. A New York Times article in 2009 reported the results of a study conducted by Northeastern University that revealed, “On any given day, about one in every 10 young male high school dropouts is in jail or juvenile detention, compared with one in 35 young male high school graduates.” The report further stated that, “The dropout rate is driving the nation’s increasing prison population...”⁴³ The annual dropout rate in Massachusetts’ public schools has ranged from 1.9% to 3.4% over the past eight years, with the 2014-2015 marking the lowest rate (Department of Elementary and Secondary Education, 2015) (DESE).

Table 8. Massachusetts Public High School Annual Dropout Rates, 2007-2008 to 2014-2015

| | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Number of Dropouts | 9,959 | 8,585 | 8,296 | 7,894 | 7,051 | 6,248 | 5,746 | 5,346 |
| Percentage of Total Students | 3.4% | 2.9% | 2.9% | 2.7% | 2.5% | 2.2% | 2.0% | 1.9% |
| Male | 3.8% | 3.4% | 3.3% | 3.2% | 2.9% | 2.6% | 2.4% | 2.2% |
| Female | 2.9% | 2.5% | 2.4% | 2.3% | 2.0% | 1.7% | 1.6% | 1.5% |
| Grade 9 | 3.0% | 2.8% | 2.8% | 2.6% | 2.3% | 2.0% | 1.9% | 1.9% |
| Grade 10 | 3.5% | 2.9% | 3.0% | 2.8% | 2.5% | 2.2% | 2.0% | 1.8% |
| Grade 11 | 3.3% | 2.7% | 2.6% | 2.7% | 2.4% | 2.2% | 2.0% | 1.7% |
| Grade 12 | 3.7% | 3.1% | 3.1% | 2.9% | 2.6% | 2.4% | 2.1% | 2.0% |

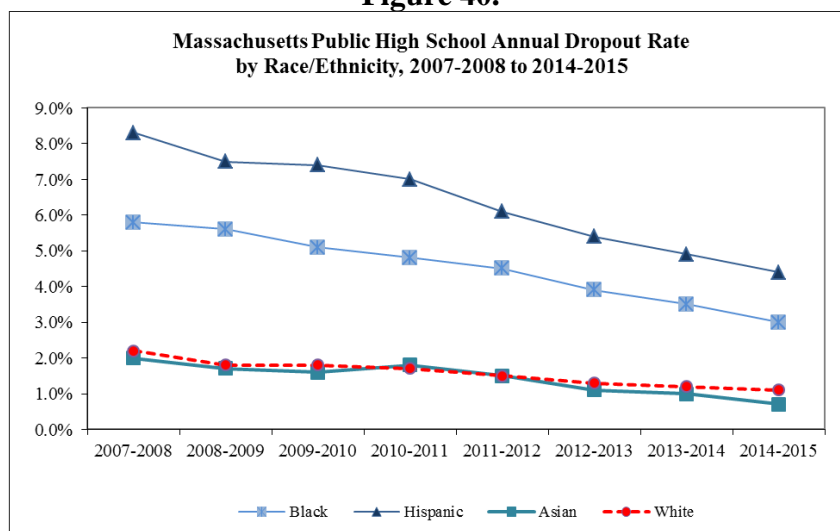
Source: Department of Elementary and Secondary Education, 2015, *High School Dropouts 2014 – 15 Massachusetts Public Schools*. Table#1: State Dropout Trends: 2007-08 to 2014-15, and Table #5: Annual Dropout Rates for Selected Demographics: 2014-15.

Dropout rates have typically varied by gender, grade, income, school location and by race/ethnicity. In the past eight years, the male dropout rate has ranged from 3.8% down to the current low of 2.2%. The female dropout rate almost has been reduced by half; falling from a high of 2.9% to the current level of 1.5%. The lowest rates for both genders occurred in the 2014-2015 school year. Over the past seven school years (2008 – 2014), dropout rates across all grades have decreased by at least 1.5 percentage points (Table 8).

During the 2013-2014 school year, the dropout rate for Hispanic students was 4.4%, followed by Black students at 3.5%, Multi-Race, Non-Hispanic students at 2.4%,⁴⁴ Asian students at 0.7%, and 1.1% for White students. Dropout rates for Black, Hispanic, Asian and White students during this time were the lowest in the past ten school years (DESE, 2015) (Figure 40, page 40).

⁴³ Dillon, S. (2009, October 8). Study Finds High Rate of Imprisonment Among Dropouts. New York Times. Online. Accessed June 15, 2015: http://www.nytimes.com/2009/10/09/education/09dropout.html?_r=0

⁴⁴ Data for Multi-racial students is not available prior to the 2005-2006 school year. In the 2005-2006 school year, the DESE changed the race/ethnicity categories to comply with the federal Office of Management and Budget reporting guidelines.

Figure 40.

Source: Department of Elementary and Secondary Education, 2016. *High School Dropouts 2014 – 15 Massachusetts Public Schools*. Table #6: Annual Dropout Rates for Selected Demographics: 2007-08 to 2014-15.

Table 9. Massachusetts Public High School Dropout Data by Race/Ethnicity and Gender, 2014 - 2015

| Race/Ethnicity | Gender | Percent of HS Enrollment | Number of Dropouts | Annual Dropout Rate | Percent of <i>all</i> Dropouts |
|----------------|--------|--------------------------|--------------------|---------------------|--------------------------------|
| Black | Female | 4.5% | 296 | 2.3% | 5.5% |
| | Male | 4.6% | 496 | 3.7% | 9.3% |
| Asian | Female | 2.9% | 46 | 0.5% | 0.9% |
| | Male | 2.9% | 72 | 0.9% | 1.3% |
| Hispanic | Female | 7.8% | 862 | 3.8% | 16.1% |
| | Male | 8.2% | 1,186 | 5.0% | 22.2% |
| White | Female | 32.9% | 868 | 0.9% | 16.2% |
| | Male | 33.6% | 1,328 | 1.4% | 24.8% |

Source: Department of Elementary and Secondary Education, 2016. *High School Dropouts 2014 – 15 Massachusetts Public Schools*. Table #7: Annual Dropout Data by Race/Ethnicity and Gender: 2014-15.

While dropout rates for Black and Hispanic students are at their lowest in the past ten school years, there remains some troubling statistics when comparing the percentage of the high school enrollment by race and ethnicity to the percentage of all dropouts. Black males represent 4.6% of the enrollment in high schools across the Commonwealth but are more than double the percent of all dropouts (9.3%). Hispanic females and males comprise 7.8% and 8.2% of enrolled high school students respectively, but account for double (16.1%) and almost triple (22.2%) the percentage of all dropouts. The above statistics demonstrate the continued need for dropout prevention and intervention programs (Table 9).

School Exclusions

School exclusion is defined by the DESE as the “...removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days. The removal could also be permanent or indefinite.” A 2003 study by the National Center on Education, Disability, and Juvenile Justice reveals that exclusion may “...accelerate the course of delinquency, by providing at-risk and alienated youth extra time to associate with deviant peers.”⁴⁵ Student exclusion from the classroom not only increases their likelihood of falling behind with course work and thus increasing the achievement gap but, dropping out and becoming involved in the juvenile justice system – which contributes to the school-to-prison pipeline.

DESE implemented the school discipline reform law, Chapter 222 of the Acts of 2012, which took effect on July 1, 2014. The principle behind the law is to make exclusion from school a last resort for all but the most serious offenses. If a student is to be excluded for more than 10 consecutive school days, the school district must offer the student alternative education services.

DESE data revealed that during the 2014-2015 school year there were a total of 17,211 in-school suspensions and an additional 28,844 out-of-school suspensions (Table 10). These figures represent a decrease of 17% and 25%, respectively, from the previous year.⁴⁶ Breakdowns of these figures by gender and race are not available at this time.

Table 10. Number of Massachusetts Public High School Suspensions

| | 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|--------------------------|------------------|------------------|------------------|------------------|------------------|
| In-school suspension | 30,293 | 29,212 | 21,287 | 20,824 | 17,211 |
| Out-of-school suspension | 48,336 | 46,279 | 41,931 | 38,309 | 28,844 |

Source: Department of Elementary and Secondary Education, 2016.

YOUTH VIOLENCE AND SCHOOL SAFETY

Ideally, school should be an environment that fosters teaching and learning, and not where one is exposed to crime and violence. Crime and violence at school can create the foundation for negative behaviors such as alcohol and drug use and suicide. It also can have lasting effects such as fear, isolation and depression, but also lead to poor academic performance that may contribute to truancy and dropping out of school.

In addition to collecting data on sexual activity and pregnancy as noted in a previous section of this report, the biennial MYRBS also captures self-reported violence and school safety concerns

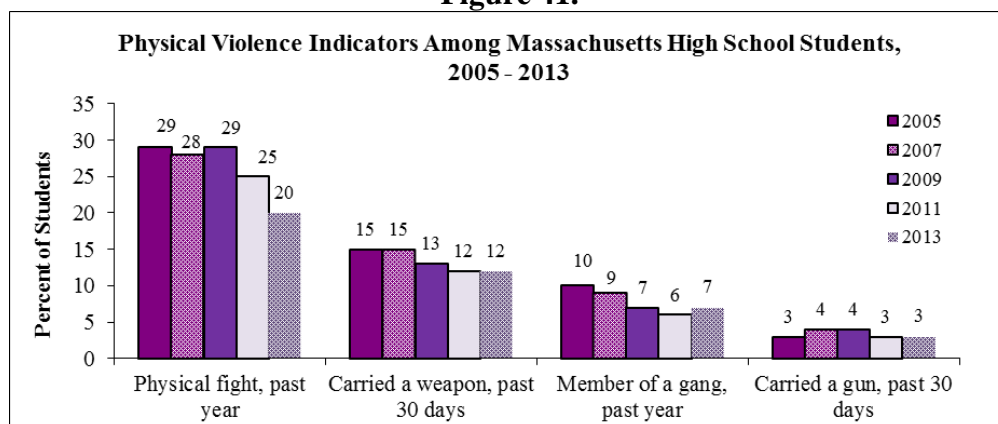
⁴⁵ Christle, C.A., Frey, A., Jolivette, K., Leone, P.E., Nelson, M., & Skiba, R. (2003). School Failure, Race, and Disability: Promoting Positive Outcomes, Decreasing Vulnerability for Involvement with the Juvenile Delinquency System. The National Center on Education, Disability, and Juvenile Justice. Online. Accessed June 15, 2015: http://www.edjj.org/Publications/list/leone_et_al-2003.pdf

⁴⁶ Note: In previous years, the multiple suspensions of individuals were included in the total. DESE has changed the methodology to report school suspensions in the 2012-2013 reporting period. Individuals who are suspended are only counted once in the total and as a result, the significant decline in the number of in-school and out-of-school suspensions is overstated for this reporting period.

by Massachusetts youth. The following data was collected from high school students during the 2013 MYRBS:

- 18% of male students and 5% of female students reported carrying a weapon in the past 30 days;
- 5% of males and 1% of females reported carrying a gun in the past 30 days;
- 9% of males and 3% of females indicated gang membership during the past year; and
- 2% reported sustaining injuries that required treatment by a medical professional

Figure 41.

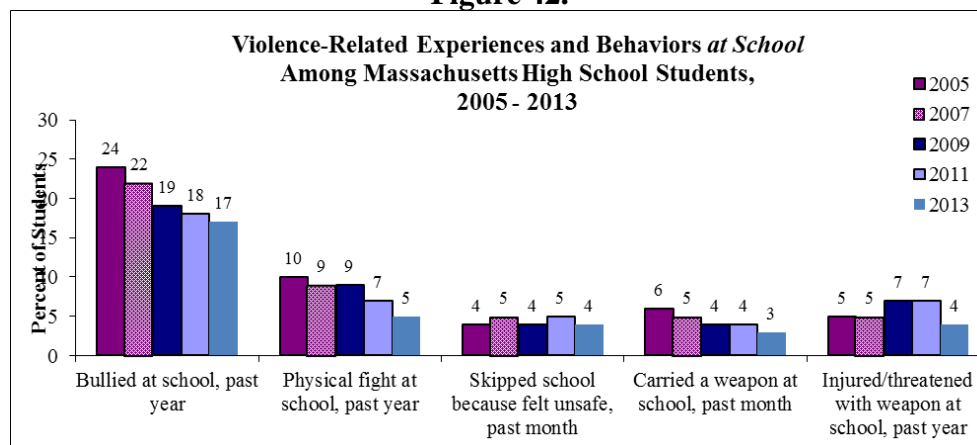


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Generally, student reported physical violence indicators show a decline between 2005 and 2013, with the exception of those students reporting carrying a gun in the past 30 days. Figure 41 above indicates the following for 2013:

- 20% of students reported having been involved in a fight in the past year;
- 12% carried a weapon in the past 30 days – which remained static from 2011;
- 7% reported gang membership, a slight increase from 2011; and
- 3% carried a gun in the past 30 days.

Figure 42.



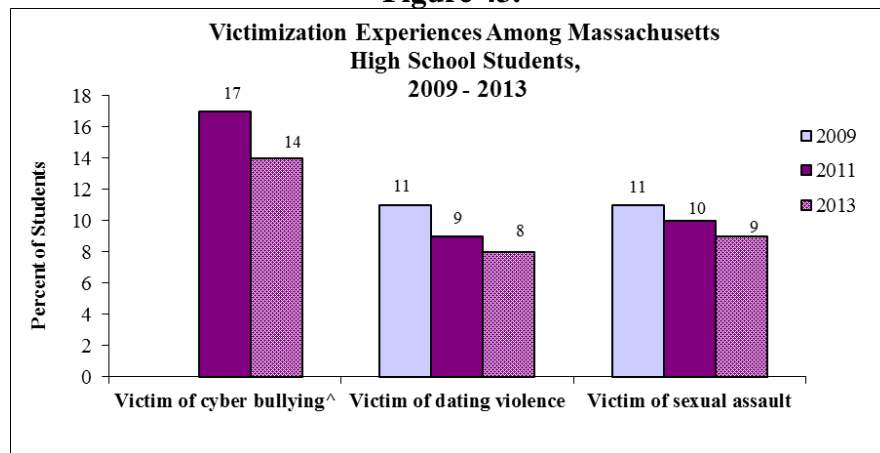
Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Figure 42 (page 42) indicates the following for 2013:

- 17% of students reported being bullied at school in the past year;
- 5% of students were involved in a fight on school property in the past year;
- 4% skipped school because they felt unsafe in the past month;
- 3% of students reported carrying a gun on school property in the past month; and
- 4% reported being injured or threatened with a weapon at school in the past year, a 43% decline from the 2011 survey.

According to additional results from high school students who responded to the MYRBS, 14% reported being a victim of cyber bullying, 8% experienced dating violence and 9% a victim of sexual assault (Figure 43).

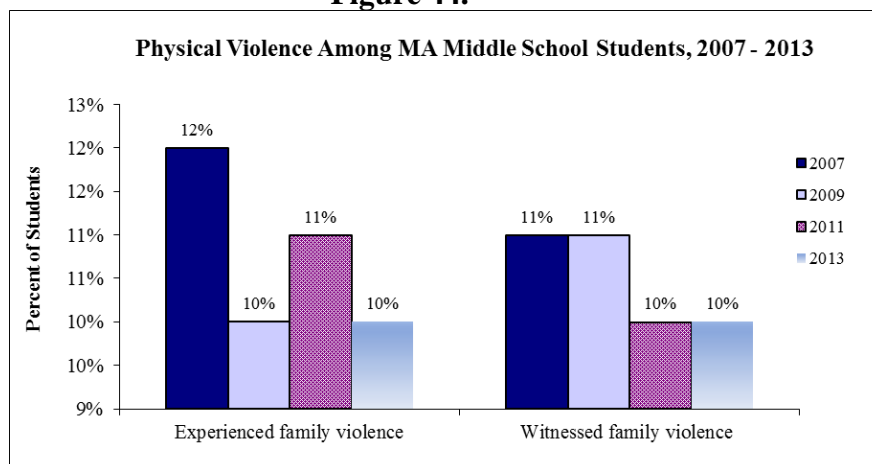
Figure 43.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014. Please note, information for 2009 cyber bullying victimization is unavailable.

The percentage of middle school students who experienced and/or witnessed family violence has remained quite consistent, around 10%, since the MYRBS began documenting this trend (Figure 44).

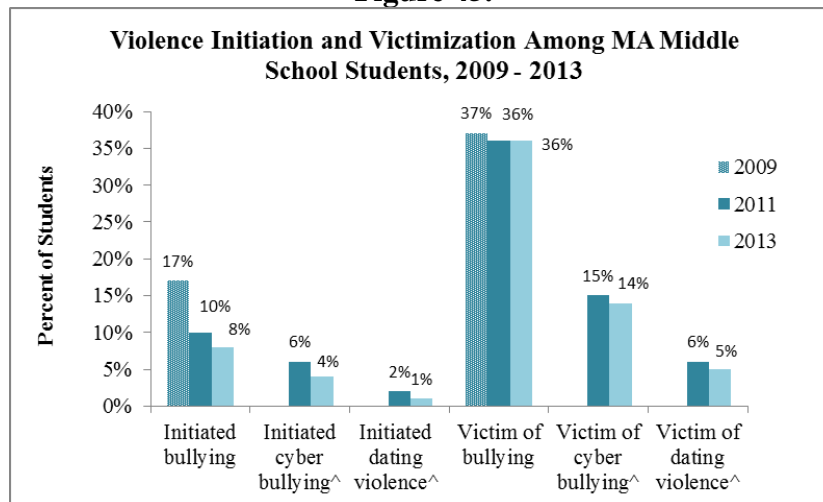
Figure 44.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Figure 45 indicates that as students' progress through middle school initiating bullying, cyber bullying and dating violence exists, but has declined in 2013 compared to 2011 survey results.

Figure 45.

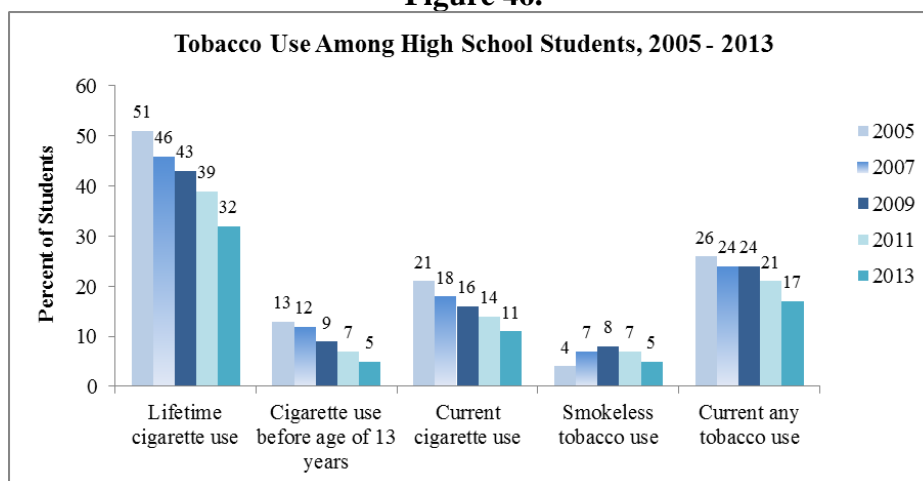


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

TOBACCO AND SUBSTANCE ABUSE

According to the 2013 MYRBS, the use of smokeless tobacco among high school students declined in 2013 (5%) from 2011(7%) survey results. Thirty-two percent (32%) of students reported having smoked cigarettes and 5% stated they did so before the age of 13, a decline of 37% and 29% from 2005, respectively. Students who reported being current cigarette smokers declined by almost half (48%) from 21% in 2005 to 11% in 2013 (Figure 46).

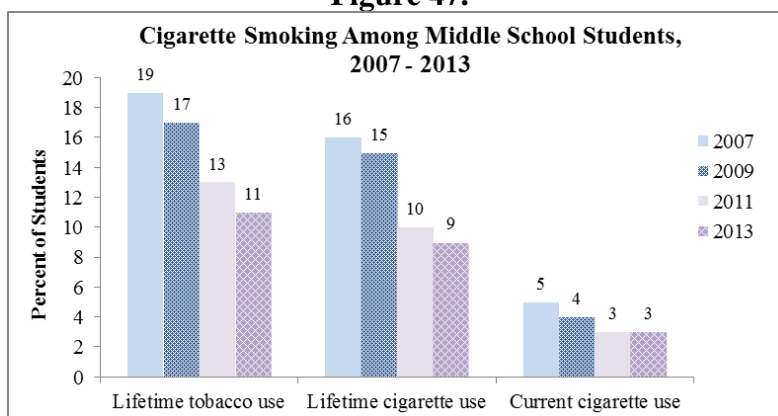
Figure 46.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Among middle school students responding to the 2013 survey, 9% reported ever trying a cigarette and remaining static at 3% are those students who reported current cigarette use (Figure 47).

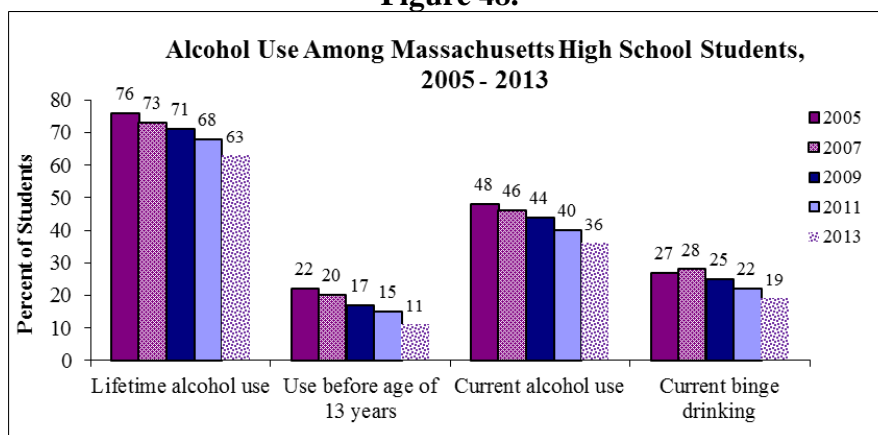
Figure 47.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

The percentage of high school students who reported consuming alcohol prior to the age of 13 decreased by half from 22% in 2003 to 11% in 2013. The rate of students who engaged in binge drinking in the 30 days prior to the survey has continued to decline from the high in 2007 (28% vs. 19%). Almost one-fifth (19%) report binge drinking five or more drinks of alcohol within a couple of hours (Figure 48). Among middle school students, 18% reported having at least one drink of alcohol in their lifetime, 6% admitted to current alcohol use, and 2% reported current binge drinking.

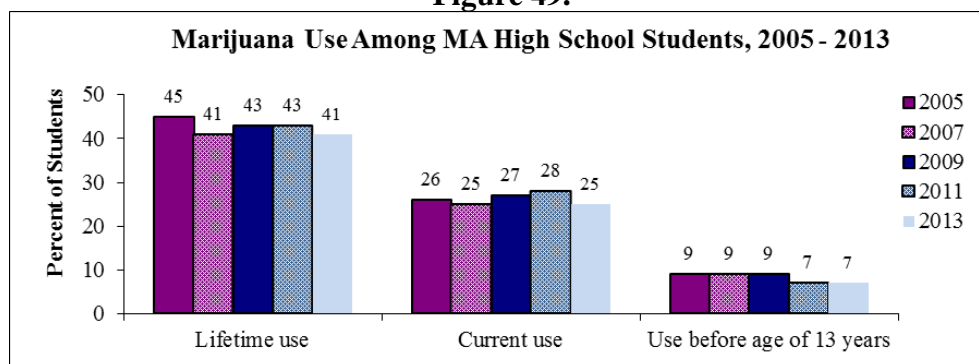
Figure 48.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Forty-one percent (41%) of high school students reported previous marijuana use, and one-quarter (25%) indicated that they had smoked marijuana in the 30 days prior to the report (Figure 49, page 45). Over one-third (38%) of those surveyed indicated that they perceived smoking marijuana occasionally would be a moderate or great risk to their health.

Figure 49.

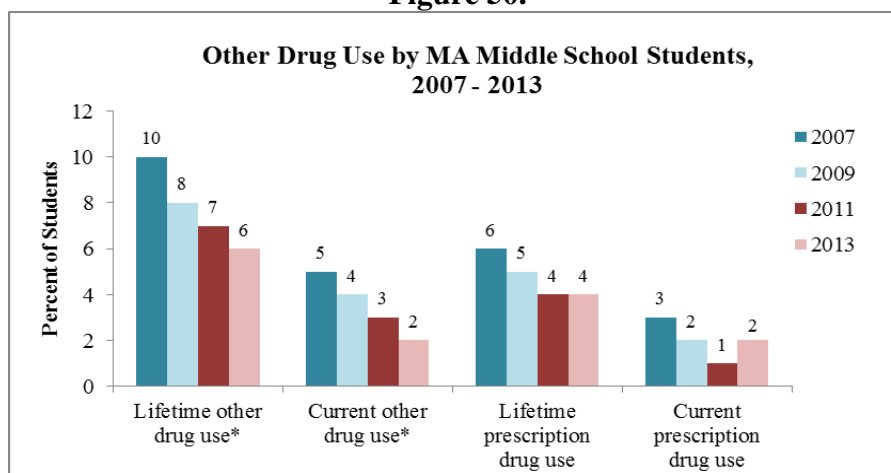


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

High school students reporting use of methamphetamines in 2013 was less than the rates during 2005 (2% vs. 4%). Thirteen percent (13%) of high school students surveyed indicated that they had taken a prescription drug that was not their own, and 2% of students reported using a needle to inject illicit drugs.

In 2013, 8% of middle school students reported having used marijuana at least once in their lives and 3% reported current use of marijuana. Reported lifetime marijuana use increased by grade levels; 2% in 6th grade, 6% in 7th grade, and 14% in 8th grade. Additionally, 4% of middle school students reported lifetime use of prescription drugs that were not their own and 2% reported current use (Figure 50).

Figure 50.

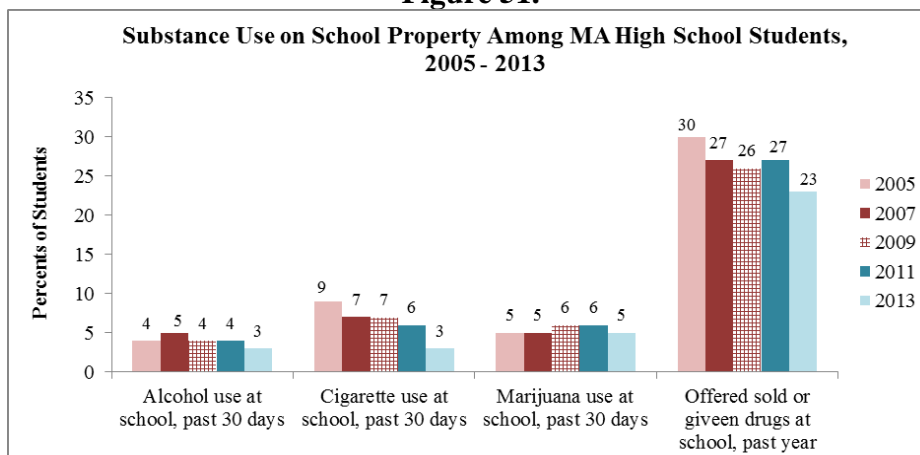


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

*Other drug category is includes inhalants, heroin, cocaine, amphetamines, ecstasy, or methamphetamines.

Twenty-three percent (23%) of high school students reported being offered, sold, or given illegal drugs on school property during the past year; this figure marks a decrease from 30% of respondents in 2005, and a decrease from 27% in 2011. Alcohol use at school in the past 30 days declined in 2013 to 3% from 4% in 2011 (Figure 51, page 46).

Figure 51.

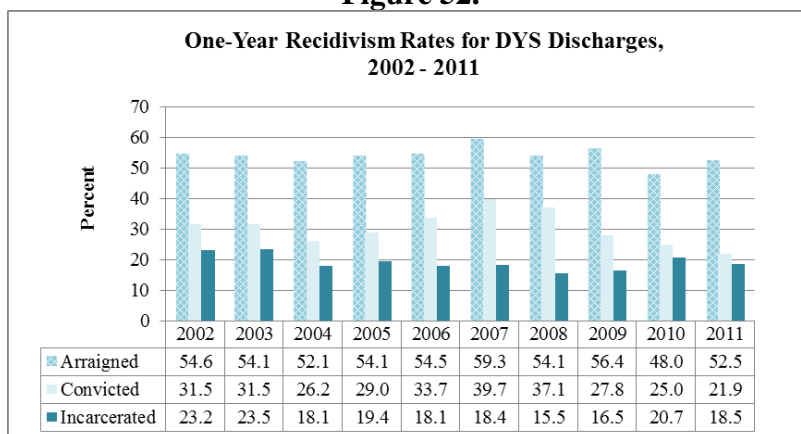


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

RECIDIVISM

Reentry into the community after being either committed to DYS or after being released from a secure or non-secure placement can be difficult for young people in Massachusetts. The latest recidivism⁴⁷ data from DYS is from a cohort of 406 former clients of DYS, or approximately 68% of the 596 clients discharged during 2011.⁴⁸ Of the random sample chosen for the study, 53% were arraigned and 22% were convicted of an offense within one year of discharge. The incarceration rate fell 10% in 2011 compared to the previous year (19% vs. 21%). As depicted in Figure 52, the conviction rate for the 2011 cohort was lowest over the previous ten years. In this most recent study, among the subjects who re-offended within one year of discharge, two-thirds (66%) did so within six months.

Figure 52.



Source: Massachusetts Department of Youth Services, *Juvenile Recidivism Report for Clients Discharged During 2011*. December 23, 2015.

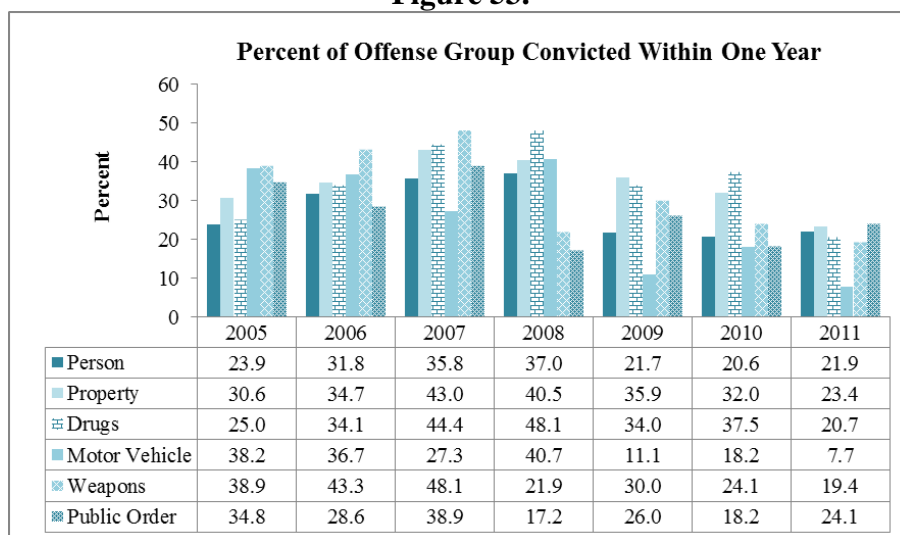
⁴⁷ Recidivism is defined as a conviction in the adult system for an offense committed within one year of discharge from DYS.

⁴⁸ Massachusetts Department of Youth Services *Juvenile Recidivism Report for Clients Discharged During 2011*, December 23, 2015.

The statistics below pertain to characteristics of the 2011 recidivism cohort:

- **Gender:** 26% of the males and 4% of the females from the cohort study re-offended.
- **Ethnicity:** 20% of African Americans, 23% of Caucasians, 22% of Hispanics, and 23% of juveniles of other ethnicities were re-convicted for offenses committed within one year of discharge.
- **County:** 14% from Hampden County, 25% from Worcester County, 19% from Essex County, 29% from Suffolk County, and 29% from and Bristol County were convicted of a crime within one year of discharge.
- **First arrest age groups:** 13 and younger, 25%; age 14, 22%; age 15, 18%; and 16 and older, 25%.
- **Offense Type:** 38% of the drug offenders, 32% of the property offenders, 24% of the weapons offenders, 21% of the person-crime offenders, and 18% of the motor vehicles offenders were convicted of a crime within one year of discharge (Figure 53).

Figure 53.



Source: Massachusetts Department of Youth Services, *Juvenile Recidivism Report For Clients Discharged During 2011*. December 23, 2015.

b. State Priority Juvenile Justice Needs/Problem Statements

This section provides a brief overview of juvenile justice needs as suggested by JJAC analysis of current crime trends and system gaps in the Massachusetts juvenile justice system. Problem statements based on these needs are as follows:

1. There is a need to improve sight and sound separation in all relevant facilities and specifically in Massachusetts court holding facilities.
2. There is a need to reduce disproportionate minority contact in the Massachusetts juvenile justice system.
3. There is a need for more comprehensive collection and reporting of Massachusetts juvenile justice data to inform effective public policy.
4. There is a need to ensure services and initiatives for at-risk and system-involved youth that are trauma-informed.

5. There is a need for a Massachusetts juvenile competence-to-stand-trial statute that recognizes the unique competency issues that confront system-involved youth in order to best protect their constitutional rights.
6. There is a need to promote greater use of best practices for juvenile diversion in Massachusetts counties.

A brief overview of each problem statement, and related goals and action steps, are outlined below.

Problem Statement 1: There is a need to improve sight and sound separation in all relevant facilities and specifically in Massachusetts court holding facilities.

For FFY2011, FFY2012, FFY2013 and FFY2014 the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has designated Massachusetts as out of compliance with the sight and sound separation core requirement of the JJDP Act. (It is anticipated that the Commonwealth will be found out of compliance for FFY2015 also). This results from the fact that numerous court holding facilities do not provide adequate separation between juvenile and adult detainees. All facilities constructed during the past decade and onward are - and will continue to be - compliant. However, many of the older court houses, some dating back several decades, were not built with the intention of separating juveniles and adults. These facilities require significant funding for remedies. They are the focus of a working group consisting of the EOTC, DCAMM, EOPSS, the JJAC and DYS. The working group has been meeting and visiting facilities regularly over the course of the past three years.

The working group has assessed all problematic facilities including their specific challenges and potential remedies. Planning and implementation for remedies has been divided into two rounds based on two sets of problematic court holding facilities. Planning has been completed for the first round. Implementation for the first round of remedies is pending. While Formula Grant funds may be used for some potential remedies, they cannot be used for renovation or construction of buildings. Therefore, EOPSS and the JJAC are using FFY2013 JABG funds, in combination with matching state funds, towards facilities that require renovation as a means of addressing the problem. Yet the funds will fall short of total costs for renovating such facilities. The Commonwealth is covering much of the renovation costs with state funds and will likely cover the full renovation costs for the second round of facilities. Formula Grant funds are being used to cover the costs of non-renovation strategies, such as equipment that will help mitigate sight and sound violations. The planning process for the second round of facilities is underway. It is expected that all remedies will be completed by December 2018.

This issue relates to the “Separation of Juveniles from Adult Inmates” Formula Grant Program Area.

Problem Statement 2: There is a need to reduce disproportionate minority contact in the Massachusetts juvenile justice system.

In Massachusetts and other states across the country, there are racial disparities in the juvenile justice system. These disparities are often referred to as “Disproportionate Minority Contact” (DMC) or “Racial and Ethnic Disparities” (RED). Based on 2012 data, as compared to white

youth, black youth are more than 2.6 times as likely to be arrested, nearly 7 times as likely to be detained pending resolution of their case, and more than 6 times as likely to be committed to the Department of Youth Services (DYS). Latino youth, when compared to white youth, are more than 5 times as likely to be detained, and more than 3 times more likely to be committed to DYS.

Minority youth in Massachusetts are also at greater risk than white youth in a number of other high risk areas. For example, minority youth are overrepresented in the populations of youth who: drop out of school, are excluded from school, become pregnant, and are living below the federal poverty income level. While minority youth make up 28% of the youth population, they made up 56% of the school dropouts and 50% of the children in foster care. Minority youth also have higher percentages of permanent school exclusion (expulsion) than white students. School exclusions are especially problematic since the exclusion rate for minority youth has been increasing at a much higher rate than for white students over the past few years. Studies have shown that there is evidence of differential treatment in school discipline decisions between white and minority youth who engage in similar conduct. School-based arrests add to the problem of DMC.

Efforts to combat DMC are explained in following sections. This issue relates to the “Disproportionate Minority Contact” Formula Grant Program Area.

Problem Statement 3: There is a need for more comprehensive collection and regular reporting of Massachusetts juvenile justice data to inform effective public policy.

Massachusetts does not have a unified and comprehensive data system that collects and reports on the full array of variables and data sets that relate to juvenile justice matters. In addition, the court system’s data collection system – MassCourts – has not been functioning properly, thereby hindering efforts of an array of stakeholders to get important data sets. Stakeholders – including EOPSS and the JJAC – have conveyed to the EOTC the importance of receiving comprehensive and reliable data in order to inform juvenile justice policy as well as maintain compliance with the JJDP ACT. The EOTC has projected that the system will be fully operational in November 2015.

The most reliable and regularly reported data is provided by the Department of Youth Services. DYS provides data on the numbers and characteristics of detained and committed youth. The Massachusetts State Police provide arrest data. However, there are gaps. For example, while the Boston Police Department is moving towards reporting NIBRS data, currently it only reports UCR data. There is also inadequate data collection and reporting with regard to youth who are diverted from the system.

When more comprehensive data is collected and regularly and widely reported, it will help support the call for more juvenile justice programming and will help guide decisions on the specific types of programming that are needed for various regions of the Commonwealth. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 4: There is a need to ensure services and initiatives for at-risk and system-involved youth that are trauma-informed.

According to the Substance Abuse and Mental Health Services Administration (SAMHSA), trauma can occur from a variety of causes: maltreatment, separation, abuse, criminal victimization, physical and sexual abuse, natural and manmade disasters, war, and sickness. Some individuals who experience trauma are able to move on with their lives, experiencing few symptoms. However, many individuals who experience trauma, especially those who experience repeated or multiple traumas, suffer a variety of negative physical and psychological effects. (Source: Leading Change: A Plan for SAMHSA's Roles and Actions 2011-2014 Executive Summary and Introduction. HHS Publication No. (SMA) 11-4629 Summary. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2011.)

There is evidence that youth in the juvenile justice system have experienced significant trauma in their lives. Recently, the Massachusetts Juvenile Court Clinic (JCC) conducted a study of Adverse Childhood Experiences (ACE) related to a selection of children seen by the JCC. Of 258 children who were given extended evaluations by the Juvenile Court Clinic from 7/1/13 – 12/31/13:

- 48.8% had experienced emotional abuse
- 39.1% had experienced physical abuse
- 14.7% had experienced sexual abuse
- 55.4% had experienced emotional neglect
- 29.5% had experienced physical neglect
- 46.5% had a mother who was treated violently
- 55.8% experienced substance abuse in the household
- 53.9% lived with had a household member with mental illness
- 82.6% experienced parental separation or divorce, and
- 32.2% had a household member who was incarcerated.

According to SAMHSA these types of experiences often lead to mental health and co-occurring disorders such as chronic health conditions, substance abuse, eating disorders, and HIV/AIDS, as well as contact with the criminal justice system. Preventing trauma, and effectively responding to children and adults who have been traumatized can be an effective tool in preventing future health problems and criminal behavior. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 5: There is a need for a Massachusetts juvenile competency-to-stand-trial statute that recognizes the unique competency issues that confront system-involved youth in order to best protect their constitutional rights.

In Massachusetts, the adult competency-to-stand -trial (CST) statute is currently applied to juveniles. Massachusetts and other states are now considering CST legislation that is specific to juveniles. A recent study funded by the MacArthur Foundation suggests that states examine the following areas related to JCST proceedings:

- Psychological “predicates” or underlying reasons for a finding of incompetence
- Legal protections in the evaluation process
- Protection against self-incrimination
- Qualifications of the examiner
- Location of the evaluation

- Time limits for evaluation
- Content of the evaluation and report
- Remediation services
- Provision of services in the event that incompetence cannot be remediated

(Source: Juvenile Delinquency Proceedings: A Guide for Lawmakers; Kimberly Larson, Ph.D., J.D.; Thomas Grisso, Ph.D.; National Youth Screening & Assessment Project)

Efforts are underway to advocate for a statute that will address the above listed issues. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 6: There is a need to promote greater use of best practices for juvenile diversion in Massachusetts counties.

Pre-arraignment juvenile diversion practices in Massachusetts vary from county to county. While most counties are making valiant efforts – that are not required by law and that are not adequately funded - to provide diversion opportunities to some non-violent, first-time offenders, it is the opinion of the JJAC that there is opportunity to expand the use of best practices - as identified by the national literature - for diversion throughout the Commonwealth. To the extent that there is room for enhancing the diversion programs that currently exist the JJAC intends to work with district attorneys’ offices and stakeholders to promote wider use of best practices such as: use of assessment and screening tools, comprehensive collection of data to monitor effectiveness, use of trained diversion staff, and enhancement of collaboration with stakeholders such as those who can provide services for diverted youth.

Youth should be able to benefit from fair and effective diversion practices regardless of which county they live in. Thus the JJAC will seek to ensure best practices for diversion across the Commonwealth and will promote amongst all counties the practices currently in use in the counties with the most comprehensive and promising programs. Where appropriate, the JJAC will support district attorney offices in their advocacy for more state funding for their programs. In addition, the JJAC has identified the “Diversion” Formula Grant Program Area as a priority under which to use Formula Grant funds should funds be available.

FY 2016 UPDATES

Please see the “Goals and Objectives” section below for updates relating to the Problem Statements.

B. COORDINATION OF STATE EFFORTS

i. Overview of state efforts and plans to promote youth development and well-being.

Several years ago the JJAC adopted a youth development approach promoted by EOHHS to serve as a framework and philosophy for how the JJAC should approach understanding of juvenile justice issues and potential solutions. This framework was made part of the criteria for evaluating all proposals for juvenile justice grant funds over which the JJAC has authority.

With Formula Grant funding from the JJAC, DYS has sponsored and facilitated the JJAC Leadership Training Series during the winter and spring of 2015. This leadership series consists of seven half-day trainings from national experts on an array of related topics such as: adolescent brain development, positive youth justice, desistance, childhood trauma, and the use of risk assessment tools. The last segment of the series will focus on “next steps.” Participating stakeholders involve upper management personnel and others from the juvenile court, DYS, DCF, EOHHS, CPCS, the probation department, and EOPSS. All participants have been provided with the book “Reforming Juvenile Justice: A Developmental Approach.” This book is the guiding text for the leadership series and for the values and practices that the JJAC and DYS hope to promote amongst all stakeholders who serve youth.

Many of the stakeholder leadership from the above agencies also comprise the Child Welfare and Juvenile Justice Leadership Forum. This forum serves as a space for multiple agencies to align their juvenile justice and child welfare goals under a comprehensive vision that is largely informed by a positive youth development model. While the diverse array of agencies may play different roles in the system (such as public defenders and juvenile probation officers) there is a common understanding of the need to serve youth in developmentally-appropriate ways with the common goal of ensuring their pro-social development for the benefit of their own individual success as well as for the public safety of their communities.

JDAI - initially funded several years ago with Formula Grant funds - is another initiative that has helped to bring stakeholders to the same table to learn from each other and advocate for ways to improve the juvenile justice system in the Commonwealth. This effort has reached hundreds of stakeholders such as probation officers, judges and DYS staff. DYS leads the JDAI effort.

EOHHS has recently set up several “Family Resource Centers” throughout the Commonwealth. These centers provide services on-site and/or make appropriate referrals for services for any youth and/or parent that seeks their assistance for any reason. Recognizing that family-involvement, along with positive parenting practices, are crucial to serving young people, the centers represent a holistic way for helping vulnerable children and families and is an accessible path for them to get relevant services. DYS also understand the importance of family involvement and of parents and parent advocacy groups as important participants in assisting troubled youth. For instance, DYS contracts with the Parent/Professional Advocacy League to assist parents of detained youth in navigating the juvenile justice system.

Another project that is recently underway in Massachusetts is the planning and eventual creation of a multi-disciplinary professional development curriculum and course. “A Positive Youth Development Mindset: A Cross-Systems Approach” is led by Wheelock College and School & Main Institutes. (Please see below for more discussion on this project).

Due to the penalty for non-compliance with the Separation core requirement of the JJDP Act, the Commonwealth is unlikely to have FFY 2015 Formula Grant funds available to sub-grant to delinquency prevention and intervention programs or system improvement projects. However, the Commonwealth is now at a stage where multiple agencies, institutions and organizations are moving forward with collaborative efforts designed to inform juvenile policy and practices; simultaneously, organizations such as UTEC (discussed in Section 1A) have been expanding

their direct services and positive youth development approach to working with at-risk and system-involved youth.

FY 2016 UPDATE

The initiatives discussed above continue to expand. They reach an array of stakeholders across the Commonwealth most of whom are committed to the vision of juvenile justice outlined in “Reforming Juvenile Justice: A Developmental Approach.” The JJAC again funded DYS to coordinate a second round of the Leadership Training Series. This has included six four-hour trainings on adolescent brain development, trauma-informed practices, understanding and working with at-risk girls, implicit bias, characteristics of desistance, and effective service dosage. Wheelock College and School & Main Institute have completed the planning stages of their certificate program that will be focused on professional development and system-improvement relating to various aspects of positive youth development. This certificate program will begin in the June 2016.

ii. Description of what is being done by the designated state agency to partner with non-justice system agencies and other stakeholders.

Stakeholders in Massachusetts realize the inter-relatedness of child welfare and juvenile justice matters. Many of the youth who become juvenile justice system-involved have been or will be involved in the child welfare system. The Massachusetts Juvenile Justice Specialist is a member of the Child Welfare and Juvenile Justice Leadership Forum. The forum provides a space for cross-agency sharing of ideas, problem solving, goal setting, and discussion of how the two systems intersect and can benefit from multidisciplinary coordination of values, initiatives and programming. In addition, the Juvenile Justice Specialist (as well as JJAC members) is also involved in the planning stages the joint project by Wheelock College and School & Main Institute to create a multidisciplinary, cross-system professional development curriculum and course that will enhance awareness of a positive youth development approach to working with children as well as create a space and means for networking and systems coordination.

FY 2016 UPDATE

The Juvenile Justice Specialist maintains involvement and collaboration with other initiatives such as those listed above. Juvenile justice initiatives such as the Child Welfare and Juvenile Justice Leadership Forum and JDAI have participation from members who are not juvenile justice system agencies and organizations.

iii. Challenges and plans to improve coordination and joint decision making.

Collaborative efforts have been gaining strength in Massachusetts over the past few years with initiatives such as JDAI, the Child Welfare and Juvenile Justice Leadership Forum, and, more recently, the project sponsored by Wheelock College and School & Main Institute which is in its beginning stages. These initiatives bring a variety of stakeholders together who serve in diverse roles within their agencies and organizations and who range from young social workers to experienced agency commissioners. Stakeholders are defining shared values and goals, most of which are aligned with a positive youth development approach to serving vulnerable youth. The challenge for the Commonwealth will be to get from the discussion and planning stages of these initiatives to the implementation of day to day programming and practices across all of the

agencies, institutions and organizations that have the responsibility and opportunity to effectively assist young people. Many people serve on numerous committees which helps spread and reinforce positive youth development values among all stakeholder groups. However, clear action steps and accountability will need to be delineated and enforced in order to reap large-scale, systemic results over the upcoming years. It will be important for stakeholders to maintain motivation for continual learning and improvement as well as practical implementation of proven or promising policies and practices. The JJAC and EOPSS' staff - like others - are taking a proactive approach with regard to discussing juvenile justice priorities with various stakeholder leaders while seeking opportunities to collaborate and coordinate efforts on an array of issues as reflected, in part, below.

FY 2016 UPDATE

Collaboration, interdisciplinary learning and networking among stakeholders, including within the various initiatives listed above, have developed momentum. There is continual progress with regard to clarification of a shared vision and values for how to benefit at-risk and system-involved youth.

C. GOALS AND OBJECTIVES

PRIORITY #1: Separation of Juveniles from Adult Inmates – Court Holding Facilities

Program Area: Separation of Juveniles from Adult Inmates

Goal: Ensure that all of the Commonwealth's court holding facilities are sight and sound compliant by December 2018.

Objectives:

1. Complete the Interdepartmental Service Agreement (ISA) between EOPSS and the Court in order to begin both renovation and non-renovation projects for facilities assessed for the first round of remedies. **June 2015.**
2. Obtain a schedule from the Court and/or the Division of Capital Asset Management and Maintenance (DCAMM) as to the estimated completion dates for the first round of remedies. **August 2015.**
3. Ensure completion of work on the first round of facilities according to schedule. **March 2016.**
4. Assess the effectiveness of the first round of remedies after they have been completed. **May 2016.**
5. Ensure completion of the planning stage of the second round of facilities. **January 2016.**
6. Determine how the second round renovation and non-renovation projects will be funded and facilitate the contracting process to the extent that JJAC/EOPSS administered funds are involved. **August 2016.**
7. Complete the ISA process for assistance with the funding of the second round of remedies. **October 2016.**
8. Obtain a schedule from the Court and/or DCAMM as to the estimated completion dates for the second round of remedies. **November 2016.**
9. Ensure completion of the second round of facilities according to schedule. **December 2017.**

10. Assess the effectiveness of the second round of remedies after they have been completed.
August 2018.
11. Inform OJJDP and other stakeholders of progress. *Ongoing.*

FY 2016 UPDATE

The following activities were undertaken towards remedying the inadequate separation of juvenile and adult detainees in some of the Commonwealth's court holding facilities:

- Twenty-seven sites were identified for the second (final) round of courthouse assessments. All sites were visited by the work group.
- An architectural firm was contracted with to assess and determine the feasibility of renovations in the in the second round facilities.
- EOPSS provided \$426,350 of Formula Grant funds to the EOTC to help address sight and sound separation in the several of the facilities. Funds were used to purchase cameras, screens, access controls etc. to help provide sight and sound separation.
- Courthouses that must have renovations in order to be compliant were identified as were courthouses that may only need policy and/or minor modifications.
- The use of magnetically attachable screens as a possible remedy was piloted in three court houses. This is a viable option in some facilities. Because the various facilities have different cell layouts this type of remedy – while it will be effective in some facilities -will not work in all of them.
- Policy changes were piloted in several facilities to determine whether such changes alone can ensure adequate sight and sound separation between juvenile and adult detainees.
- Sound masking devices were tested to study their effectiveness in preventing sound contact.
- The EOTC developed a master schedule for project completion.
- EOPSS and EOTC officials met with OJJDP officials to discuss the problems and potential remedies.

PRIORITY #2: Disproportionate Minority Contact (DMC)

Program Area: Disproportionate Minority Contact

Goal: Assess, Monitor and Reduce DMC in Massachusetts with a primary focus on the “front end” of the juvenile justice system (police, schools, and diversion practices) and the following core activities:

1. Increase DMC-related training opportunities for Police;
2. Promote alternative values, policies and practices to the unnecessary use of suspension, expulsion, and arrests for school-based behavior problems;
3. Support the use of pre-arraignment diversion in urban jurisdictions and the collection of race and ethnicity data at the diversion contact point;
4. Facilitate the completion of a DMC Assessment Study.

Objectives:

1. Advocate for improved and unbiased interactions and relations between the police and youth of color:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (e.g. implicit bias, cultural proficiency, adolescent development, effective and equitable police practices, justice by geography, studies/findings/recommendations regarding police practices and problems, police-community relations, etc.) **June 2015 & ongoing.**
- b) Coordinate the Effective Police Interactions with Youth Training of Trainers. **August 2015.**
 - i. establish expectations during the TOT regarding participant responsibility for training officers in their departments and departments in their regions
 - ii. continuously encourage accountability of those trained in the TOT to regularly offer the training to officers in their regions.
- c) Conduct focus groups and/or surveys and/or forums to learn about and educate on this objective. **June 2016.**
- d) Meet with Chiefs of Police of Major Cities to explore further collaboration. **November 2015.**

2. Advocate for fair, effective and unbiased school discipline and school-based arrest policies and practices:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (study issues such as: how to build a positive school culture and mutual trust between students, staff and SROs; fair discipline procedures and unbiased discipline practices; studies/findings/recommendations regarding school discipline and referral practices and problems, particularly as they relate to racial/ethnic disparities, etc.). **June 2015 & ongoing.**
- b) Identify districts and schools that have the highest school exclusion and school-based arrest rates. **October 2015.**
- c) Establish connections with school personnel in key urban districts, assess their current practices and degree of need for reform, and encourage them to develop more positive, fair and effective policies and practices based on the national literature and what is working in Massachusetts school districts such as Boston. **April 2016.**
- d) Review the impact of the Boston Public Schools/Suffolk University JABG project and assess the usefulness of its model for reducing disparities. **August 2015.**
- e) Advocate for expanding the Boston Public Schools model of restorative practices in other jurisdictions if it is deemed effective. **October 2015 & ongoing.**

3. Maximize the use of pre-arraignment diversion in urban jurisdictions:

- a) Release the Diversion Study, raise awareness of its recommendations and encourage adoption of its recommendations in each jurisdiction. **October 2015.**
- b) Encourage the collection of race/ethnicity data by DA offices in order to identify racial disparities at the diversion contact point in the future. **October 2015.**
- c) Coordinate with EOHHS and DCF regarding the use of the Family Resource Centers as a diversion and services resource. **October 2015.**

- d) Encourage the development of formal, systemic relationships between the Family Resource Centers and police and DA offices in order to facilitate and maximize the use of diversion in each jurisdiction (particularly in urban areas). **December 2015.**
 - e) Assess the development and effectiveness of the Suffolk County diversion project and its potential for replication. **May 2016.**
 - f) If assessed to be effective, collaborate with the diversion project in Suffolk County to promote its practices in other counties. **September 2016.**
- 4. Complete a New DMC Assessment Study:**
- a) Conference with Court Officials and a national DMC expert as needed to create and update a work plan. **October 2015.**
 - b) Clarify information required by OJJDP to satisfy their assessment study requirements. **September 2015.**
 - c) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to have a valid and reliable dataset. **December 2015.**
 - d) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to complete a DMC analysis of the data. **May 2016.**
 - e) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to write the DMC Assessment Study. **July 2016.**
 - f) Share the DMC Assessment Study with stakeholders and promote awareness of its findings and recommendations. **October 2016.**
- 5. Advocate with the Executive Office of the Trial Court for reliable data collection (including race/ethnicity data) and regular data sharing and reporting with stakeholders and the public.**
- a) The JJAC Chair and the DMC Reduction Specialist will advocate with the EOTC about data issues, including concerns about the functioning of MassCourts, concerns about the reliability and consistency of race and ethnicity data collection, and the request of stakeholders to have data shared and made accessible to the public on a regular basis. **September 2015 & ongoing.**
- 6. Coordinate and collaborate with other agencies and groups working on DMC issues, such as JDAI and the Child Welfare and Juvenile Justice Leadership Forum.**
Ongoing.
- 7. Assess the potential value of a Juvenile Bail Statute based on validated J-PAST factors.**
- a) Get feedback from key stakeholders (including those who constitute the Child Welfare and Juvenile Justice Leadership Forum) regarding their thoughts on the potential value of a Juvenile Bail Statute based on the validated J-PAST factors, including concerns about potential unintended consequences. **January 2016.**

FY 2016 UPDATE

Massachusetts engaged in numerous DMC related activities since the submission of the FY 2015 Three Year Plan. Racial and ethnic disparities in the juvenile justice system continued to be a priority and area of collaboration amongst the JJAC, JDAI and the Child Welfare and Juvenile Justice Leadership Forum (all of which consist of a diverse array of stakeholders). The DMC Reduction Specialist, the Chair of the JJAC DMC Subcommittee, JJAC members and others stay

abreast of the latest research related to racial and ethnic disparities in the juvenile justice system and share resources amongst each other. This priority will be discussed in greater detail in the Annual Compliance Monitoring Report due on July 15, 2016. DMC activities in Massachusetts included, but were not limited to, the following:

- implicit bias training for all trial court judges in the Commonwealth;
- implicit bias training for police officers;
- a Connecticut Police training of trainers on the Effective Police Interactions with Youth Training;
- discussions with the Municipal Police Training Committee (MPTC) regarding incorporation of the Effective Police Interactions with Youth Training into the MPTC mandatory training curriculum;
- JJAC-sponsored implicit bias training for an array of juvenile justice stakeholders across the state;
- JDAI-sponsored implicit bias training for Leadership Forum members and other stakeholders;
- development of an objective screening tool for police officers to use to determine whether to arrest and how to serve youth during encounters and which is currently being used in Brookline, MA;
- implementation of a objective risk assessment tool in juvenile courts across the Commonwealth to assist judges in making bail decisions;
- technical assistance and training on racial and ethnic disparities from the Center for Children's Law and Policy (CCLP);
- analysis of racial and ethnic discipline disparity rates in Massachusetts schools;
- advocacy for reliable collection and timely reporting of race and ethnicity data, particularly from the EOTC;
- development of a training video on racial and ethnic disparities as part of the JDAI initiative;
- improvements in the availability of race and ethnicity data from the juvenile court;
- planning for the creation of a formal diversion program in Suffolk County;
- conducting of a focus group at Roca, Inc in Boston, a non-profit organization that serves at-risk and system-involved young people, most of whom are Black and Latino; and,
- assessment of race and ethnicity data needs and assessment of best practices regarding race and ethnicity data collection to recommend to all stakeholders.

The Commonwealth hopes to make progress towards the completion of a DMC assessment study. There has been a delay due to problems with the data system of the juvenile court. However, recent positive developments regarding juvenile court data may make this a feasible goal over the course of the 2016 federal fiscal year. Regarding the possibility of creating juvenile bail statute based on the elements of the validated risk assessment instrument that has recently been used in the juvenile court to help judges make informed decisions, it is too early for stakeholders to commit to such legislation. A longer trial period of the discretionary risk assessment instrument is necessary before stakeholders will feel comfortable with the possibility of codifying it in a statute.

PRIORITY #3: Juvenile Justice Data

Program Area: Juvenile Justice System Improvement

Goal: Successfully advocate for comprehensive, reliable and consistent juvenile justice data collection, sharing among stakeholders, and public reporting by all key juvenile agencies and institutions in order to inform effective public policy.

Objectives:

1. Identify data and organizations responsible for data that should be available at each decision point in the juvenile justice system. **August 2015.**
2. Identify currently available juvenile justice data and the entity responsible for the data. **September 2015.**
3. Identify missing data, determine if it is collected and, if so, by whom; if not collected, identify the entity that should collect said data. **September 2015.**
4. Meet with Governor and Court Administrator of the Massachusetts Trial Court (or key representative) to educate the Governor's Office and the Administrative Office of the Juvenile Court regarding the need for data to inform juvenile justice practice, policy and program development. **November 2015.**
5. Convene a meeting of stakeholders to: educate about the need for data; identify systemic obstacles to the production of data; brainstorm strategies to remove obstacles to data production; and secure commitment to provision of identified data on a regular basis. **February 2016.**
6. Successfully define what a comprehensive, reliable and consistent Massachusetts juvenile justice data system looks like inclusive of what each agency is responsible for collecting and reporting. **April 2016.**
7. Assess the feasibility of creating and implementing the data system identified in Objective 6 and begin advocacy for such a system or the next best feasible alternative. **June 2016.**

FY2016 UPDATE

The importance of collecting and analyzing juvenile justice data is consistently emphasized and reinforced during meetings and communications involving committees and initiatives such as the JJAC, JDAI and the Child Welfare and Juvenile Justice Leadership Forum. JDAI and the Leadership Forum each have data-specific subcommittees. The Leadership Forum subcommittee has mostly determined what data currently exists, where there are gaps in data, which stakeholders do or can collect the data, and which indicators should be prioritized for measuring juvenile justice and child welfare areas of concern. The Leadership Forum consists of upper management personnel from all of the key juvenile justice and child welfare agencies. The Leadership Forum has great potential to enact necessary changes relating to the collection, reporting and analysis of juvenile justice and child welfare data and to enact reforms based on the analysis of such data. Regarding race and ethnicity data, there is a pending bill in the state legislature that, if passed, will require all juvenile justice stakeholders to collect and report such data.

PRIORITY #4: Trauma-Informed Practices

Program Area: Juvenile Justice System Improvement

Goal: Successfully promote and support trauma- informed juvenile justice practices at each stage of the juvenile justice system.

Objectives:

1. Develop JJAC member understanding of the intersection between trauma and juvenile delinquency. **October 2015.**
2. Develop JJAC expertise of best practices for trauma-informed services. **October 2015 & ongoing.**
3. Promote understanding among stakeholders of the intersection between trauma and juvenile delinquency.
 - a. Gather information from DYS, DCF and the Department of Mental Health (DMH) about their use of trauma-informed services. **September 2015.**
 - b. Promote the use of best practices for trauma-informed services by establishing a web-enabled/web-based resource list for practitioners, policy makers and the general public. **January 2016.**
 - c. Develop a strategy to help inform professionals, policy makers and the general public about trauma-informed tools and resources. **January 2016.**
 - d. Support interagency agreements with other state and/or national trauma-informed training and research groups to ensure that resources are kept up to date, new research is translated to practice, and to help leverage Massachusetts state resources. **January 2016 & ongoing.**

FY 2016 UPDATE

On February 22, 2016 the JJAC-DYS Leadership Training Series sponsored a training dedicated specifically to the topic of childhood trauma for approximately 25 stakeholders by national expert Jessica Griffin of UMass Medical School, Department of Psychiatry. The training was highly educational and stakeholders were pointed to specific resources that are available to them and their clients who struggle with childhood trauma. UMass Medical School is an institution that leads the field in the area of trauma. In addition, DYS personnel presented at a JJAC meeting on the trauma-related services that youth who are detained and/or committed to DYS receive. A useful discussion followed about ways the JJAC, EOHHS and DYS can collaborate and continue to raise awareness and share resources on trauma, its link to delinquency and effective trauma-informed practices.

PRIORITY #5: Juvenile Competency

Program Area: Juvenile Justice System Improvement

Goal: Successfully advocate for passage of a comprehensive juvenile competency to stand trial statute in the current state legislative session.

Objectives:

1. Rely on the expertise of the JJAC to advise legislators and stakeholders as to the best practices regarding juvenile competency and attainment so that legislation is passed within the current legislative session. **June 2015.**
2. Provide oral testimony and/or submit written testimony regarding the bill(s) if deemed constructive. **TBD based on legislative process.**

FY 2016 UPDATE

There is a pending juvenile competency to stand trial bill in the state legislature. The JJAC prepared and submitted written and oral testimony to the legislature on the issue as did other juvenile justice stakeholders. Should the legislation pass, it will be a positive development with regard to ensuring an age appropriate and fair process in the juvenile court for juveniles who may be incompetent to stand trial.

PRIORITY #6: Juvenile Diversion**Program Area:** Diversion

Goal: Successfully promote the expanded use of effective pre-arraignment juvenile diversion practices in the Commonwealth, especially in communities of color.

Objectives:

1. Consult strategically with the Massachusetts District Attorneys' Association (MDAA). **August 2015.**
2. Release the Diversion Study. **September 2015.**
3. Promote awareness of the findings and recommendations among DAs, DA diversion staff and other stakeholders within 60 days of consulting with the President of MDAA and other District Attorneys. **October 2015.**
4. Advocate for the implementation of the Diversion Study recommendations (and other potential improvements) among DA offices within 90 days of the release of the report. **December 2015.**

FY 2016 UPDATE

The study of statewide diversion practices completed by ICF International with Formula Grant funds, was presented to members of the Child Welfare and Juvenile Justice Leadership Forum by the Chair of the JJAC. Discussions with the Massachusetts District Attorney's Association (MDAA) have been ongoing regarding the potential public release of the Diversion Study. During the past year, the Suffolk County District Attorney's Office has engaged in planning in order to implement a formal diversion program for juveniles.

D. IMPLEMENTATION (Activities and Services)

Note: Please see the "Goals and Objectives" section above for the clearest delineation of the activities (reflected within the objectives) that will be pursued during this grant period for each of the identified priorities. Below is a general, narrative description of the activities and other efforts that will be engaged in to improve Massachusetts juvenile justice system.

In order to regain compliance with the “Separation of Juveniles from Adult Inmates” core requirement of the JJDP ACT, the Commonwealth’s Court Holding Facility Working Group – consisting of stakeholders including: the Executive Office of the Trial Court (EOTC), the Division of Capital Asset Management and Maintenance (DCAMM), the Executive Office of Public Safety and Security (EOPSS), the Juvenile Justice Advisory Committee (JJAC) and the Department of Youth Services (DYS) as well as an architectural firm retained by DCAMM – will continue to meet regularly to manage the project. Remedies for the first round of court holding facilities will be implemented shortly. The planning phase for the second round of facilities will also proceed shortly. This is a long term project which we expect will be fully completed by December 2018.

For a description of DMC-related activities that the JJAC and EOPSS will implement please see the detail provided in the preceding sections as well as the DMC Plan as described in the Compliance and Compliance Monitoring sections of the Three Year Plan. DMC is a major priority, not just for the JJAC and EOPSS, but for other state agencies, institutions and initiatives such as DHS, JDAI, the EOTC, Citizens for Juvenile Justice (CfJJ), the Youth Advocacy Division of the Committee for Public Counsel Services, the Office of the Commissioner of Probation and others. The Child Welfare and Juvenile Justice Leadership Forum – consisting of leadership from the above listed stakeholders – meets regularly and is focusing collaborative efforts on assessing and reducing DMC. Efforts to reduce DMC by the DMC Reduction Specialist will focus primarily on the “front-end” of the juvenile justice system. For example, police officers from major Massachusetts’ cities will participate in the Effective Police Interactions with Youth Training of Trainers and will be expected to conduct trainings in their regions of the Commonwealth in the future.

There have been some difficulties obtaining comprehensive, complete and reliable juvenile justice data in Massachusetts. Currently, the data system used by the court system is not fully operational. This problem hinders the ability to supply full DMC data to OJJDP and the deficits in data regarding the characteristics of court-involved youth compromises efforts to make data driven funding and policy decisions. The JJAC and EOPSS have communicated concerns to the EOTC of the critical and immediate need to have a fully operational system as soon as possible. A comprehensive mapping of available data and data gaps will take place in the Fall 2015. The JJAC, EOPSS and other stakeholders will work collaboratively to develop strategies to remove obstacles to access of important data and will put forward a model of the best forms of data collection and reporting that can realistically be implemented in Massachusetts in the near future.

While most juvenile justice stakeholders recognize that client trauma is an important issue to comprehend when serving at-risk and system-involved youth it is not clear to what extent stakeholder initiatives, policies and services are trauma-informed. Thus, the JJAC and EOPSS staff will seek to assess the current state of trauma-informed practices in the Commonwealth. We will educate ourselves and others on the intersection of trauma and juvenile justice and trauma-informed practice through activities such as soliciting experts to train interested stakeholders on the matter. After assessing the state of trauma-informed practices in the Commonwealth, the JJAC and EOPSS will advocate and promote specific policy and practice changes where necessary. The JJAC intends to serve as a resource for educating stakeholders on best practices associated with trauma-informed practice.

Currently, there is a bill pending in the state legislature for the creation of a juvenile competency-to-stand-trial statute. The JJAC is in the process of gathering information on the bill and determining how it may be improved. The JJAC, as it did in the previous legislative session, may submit written and/or oral testimony relating to the need for a juvenile competency statute and specific elements that should be addressed in it in order to ensure legislation that addresses the uniqueness of juvenile competency issues and establishes best practice requirements to protect the constitutional rights of juveniles.

The JJAC intends to promote the expanded use of pre-arraignment juvenile diversion practices, particularly practices that have been identified as best practices in the national literature on the topic. The focus will be on working with district attorneys' offices and the Massachusetts District Attorneys' Association to enhance their current practices where beneficial.

FY 2016 UPDATES

For an update on the implementation of activities please see the responses provided under the above "Goals and Objectives" section and below.

Gender-specific Services, Rural Area Services and Mental Health Services

Child-serving agencies and non-profit organizations throughout the Commonwealth use gender-specific approaches to working with youth. DYS is responsible for the pre-trial detention and post-adjudication confinement and treatment of juveniles. DYS staff receive training on gender-specific services as part of basic training. In the past, DYS staff received a specialized training on the My Life My Choices Curriculum which is a curriculum for girls who have been exposed to sexual exploitation. DYS intends to make this training available again in the near future. DYS has female-specific caseworkers and female-specific programming. Recently, The JJAC-DYS Leadership Training Series held a four-hour training for an array of juvenile justice stakeholders on working with at-risk and system-involved girls.

DCF and DYS services are available throughout the Commonwealth in a manner such that rural youth are not disadvantaged. Caseworkers routinely visit the homes of clients regardless of where they live. Clients have individualized case plans. DCF recently opened Family Resource Centers in every county in the Commonwealth. These centers provide easy access to an array of free services and referrals. The Commonwealth also maintains a hotline whereby residents throughout the Commonwealth can call to get referrals to services that are appropriate and available for their needs. In addition, many cities and towns operate their own recreational, counseling, and other child and family services in efforts to impact delinquency in their communities.

DCF, DYS, the Department of Mental Health (DMH), and dozens of hospitals and non-profit organizations in the Commonwealth provide mental health services for at-risk and system-involved youth. DYS works directly with the Massachusetts Behavioral Health Partnership (MBHP) to obtain proper mental health services for their clients (i.e. mobile screening services, emergency hospital placements when appropriate/necessary for particular clients in their care, etc.). As part of the work with MBHP, community mental health clinics are routinely reviewed to ensure that they are responsive to DYS youth and families. DYS has regional clinical staff

members who work with the case workers and the DYS youth to ensure that they and their family receive the community health services needed. Youth in residential programs who are in acute mental health distress are evaluated by Emergency Screening Teams (provided state-wide through MBHP) who can access and place individuals in acute psychiatric hospitals. Clinical Staff in DYS actively work with staff from the DMH to ensure that youth with significant mental health disorders receive the appropriate treatment and can be placed into DMH care when indicated. All youth detained and committed in DYS residential programming engage in Dialectical Behavior Therapy Groups, Substance Abuse Prevention Groups and Crisis Management Supports facilitated by licensed clinical staff. Committed DYS youth in residential programs receive group therapy in specific topics related to the youth's risk areas and offending behaviors. They participate in one hour of individual therapy weekly, and more if indicated. They are offered and encouraged to participate with their families in therapy. And they receive support and encouragement from their DYS caseworker who works with them throughout their commitment. Committed youth in the community receive supervision by their caseworkers who develop case plans which target positive youth development. Caseworkers arrange community based supports (such as community based counseling, vocational training in addition to school, etc.). One measure of the way that DYS committed youth feel about the services being provided to them is that a large number of youth who are eligible for termination from DYS at age 18 decide to voluntarily stay involved with DYS services. In addition to DYS, the Juvenile Court Clinic also plays an important role for system-involved youth with mental health needs.

F. ADDITIONAL REQUIREMENTS

1. SAG Membership

In Massachusetts, the SAG is called the Juvenile Justice Advisory Committee (JJAC). The JJAC has supervisory authority over the Formula Grant Program. Additional youth members and system-involved members as well as a locally-elected official will be appointed by Governor Baker by July 15, 2016 in order to meet the requirements of the JJDP Act. Below is a table of current members.

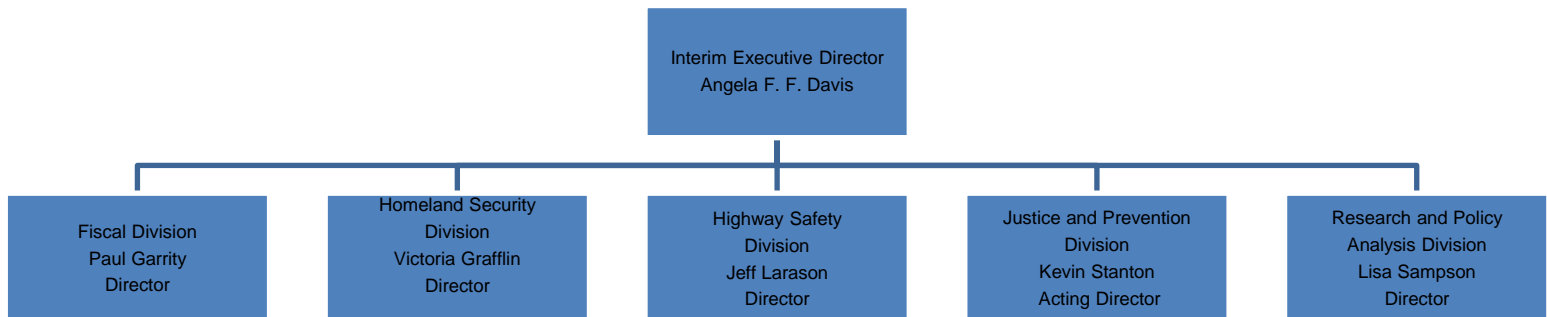
| | Name/ Email | Represents | F/T Govt. | Youth Member | Date of Appointment | Residence |
|----|--|-------------------|------------------|---------------------|----------------------------|------------------|
| 1. | Robert Gittens, Chair r.gittens@neu.edu | D | | | 8/4/03 | Dorchester, MA |
| 2. | Cecely Reardon cecely.a.reardon@MassMail.State.MA.US | C | X | | 8/4/03 | Jamaica Plain |

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|-----|--|-----|---|---|----------|----------------|
| 3. | Wes Cotter wcotter@key.org | D | | | 8/4/03 | Worcester, MA |
| 4. | Ed Dolan edward.dolan@jud.state.ma.us | B | X | | 8/4/03 | Peabody, MA |
| 5. | Glenn Daly glenn.daly@state.ma.us | C | X | | 8/4/03 | Holliston, MA |
| 6. | Jeff Butts jeffhbutts@gmail.com | C,D | | | 09/26/11 | Boston, MA |
| 7. | Natalie Petit npetit2008@curry.edu | E | X | X | 9/06/11 | Lowell, MA |
| 8. | Peter Forbes Peter.J.Forbes@MassMail.State.MA.US | B | X | | 7/28/11 | Braintree, MA |
| 9. | Austin Lessin ailessin@gmail.com | E | | X | 8/18/14 | Sudbury, MA |
| 10. | Ken Smith ksmith@ybboston.org | D | | | 5/25/12 | Roxbury, MA |
| 11. | Adam Foss adamjohnfoss@gmail.com | B | X | | 6/14/13 | Dorchester, MA |
| 12. | Kim Larson kimberly.larson@umassmed.edu | C | | | 6/14/13 | Worcester, MA |
| 13. | Reynolds Graves reynolds.graves@cityofboston.gov | E | | | 6/14/13 | Boston, MA |

| | | | | | | |
|-----|---|---|---|--|---------|--------------------|
| 14. | Mark Booher mark.booher@verizon.net | E | | | 3/24/14 | Westborough, MA |
| 15. | Kanchana Fernando KanchanaNFernando@gmail.com | B | X | | 4/29/16 | Leominster, MA |
| 16. | Michele Arroyo michelearroyo@yahoo.com | C | | | 4/29/16 | Somerville, MA |
| 17. | Constance Constantine Connie_Constantine@comcast.net | D | | | 4/29/16 | Hanson, MA |
| 18. | Janelle Ridley janellelidley@yahoo.com | D | | | 4/29/16 | Danvers, MA |
| 19. | Elisabeth Jackson EJackson@bridgeotw.org | C | | | 4/29/16 | E. Bridgewater, MA |
| 20. | Ruth Budelmann Ruth.budelmann@state.ma.us | B | X | | 5/16/16 | Beverly, MA |
| 21. | Margie Daniels Margie.daniels@state.ma.us | D | | | 5/16/16 | Topsfield, MA |

2. Staff of the JJDP Act Formula Grants Program

Office of Grants and Research Executive Office of Public Safety & Security



EOPSS OGR is the State Administering Agency for several federal grant funds from the U.S. Dept. of Justice, the U.S. Department of Homeland Security/Federal Emergency Management Agency, and the National Highway Traffic Safety Administration. The Justice and Prevention Division administers the funds from OJJDP, as well as those from the Bureau of Justice Assistance and the Office of Violence Against Women. Additionally the unit is responsible for administering several state-funded initiatives as well such as the Shannon Community Safety Initiative for youth violence prevention (based on OJJDP's comprehensive gang model) and the Municipal Public Safety Grant.

OGR's Research, Policy and Analysis Division serves as the Commonwealth's Statistical Analysis Center with support from the Bureau of Justice Statistics' State Justice Statistics Program for Statistical Analysis Centers and Justice Assistance Grant (Byrne) funding.

Justice and Prevention Division

There are currently five directors under the Executive Director in the Office of Grants and Research, one of whom is the Director of the Justice and Prevention Division, which is where the juvenile programs are located. The juvenile team consists of the Juvenile Justice Specialist/DMC Reduction Specialist and the Compliance Monitor.

Juvenile Justice Team funded with Formula Grant Funds

Juvenile Justice Specialist/DMC Reduction Specialist – Andrew Polk

Andrew Polk is the Juvenile Justice Team Lead. Nearly all of his time is spent on the Formula Grant Program. He carries out the duties of the Juvenile Justice Specialist and DMC Reduction Specialist. In addition, he assists with JJDP Act compliance monitoring activities. Activities include: various duties associated with staffing the JJAC and implementing the Three Year Plan, implementation of the OJJDP DMC Reduction Cycle, and compliance activities such as compliance site visits and facilitation of efforts to regain compliance with the Separation core requirement of the JJDP Act. His position is funded approximately 80% from the Formula Grant

(from combinations of funds from the Administration, DMC, and Separation program areas). Approximately 20% of his salary consists of state match.

Compliance Monitor – Ednei Furtado

Ednei Furtado spends approximately 100% of his time on compliance-related activities such as: data collection, site visits, work related to regaining compliance with the Separation core requirement of the JJDP Act, grant management of compliance-related sub-grantees and technical assistance with facilities in the monitoring universe. His position is funded approximately 100% from the Formula Grant.

Assistant Budget Director – Brenda Barton

Brenda Barton spends approximately 10% of her time on the OJJDP juvenile justice grant programs. Her activities cover various fiscal duties related to managing the federal awards. 5% of her salary is paid for with the Formula Grant and 5% is paid for with the state match for the Formula Grant.

Fiscal Specialist – Jennifer Keating

Jennifer Keating spends approximately 15% of her time on fiscal activities related to processing reimbursement requests from juvenile justice grants sub-recipients. 5% of her salary is paid for with Formula Grant funds and 5% is paid for with the state match for the Formula Grant.

Programs Administered by the EOPSS OGR Justice and Prevention Division

Below is a list of the programs that fall under the purview of the Justice and Prevention Division.

Youth Programs

- Juvenile Justice and Delinquency Prevention Act Formula Grant
- Juvenile Accountability Block Grant

Violence Against Women

- Sexual Assault Evidence Collection Kits (state-funding)
- Violence Against Women Act STOP

Law Enforcement and Crime Prevention

- Bulletproof Vest Program (state match for federal bulletproof vest partnership)
- Byrne Justice Assistance Grants
- Municipal Public Safety Staffing (state-funded)
- Residential Substance Abuse Treatment
- Shannon Community Safety Initiative (state-funded and co-administered with the Research and Policy Analysis Division)
- Prison Rape Elimination Act (PREA) Grant

Other

- John R. Justice Program

Assurances of Compliance with the JJDP Act: Responses and Reference Guide

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| 1. | The Executive Office of Public Safety and Security (EOPSS) is the sole agency for supervising the preparation and administration of the plan. See attached Executive Order #522. |
| 2. | See attached Executive Order #522. Also, as demonstrated in the Annual Compliance Monitoring Reports, all relevant stakeholders comply with compliance monitoring activities of EOPSS. |
| 3. | See SAG Roster on page 65. |
| 4. | Massachusetts meets this requirement with a survey of mayor's offices and police departments across the Commonwealth. |
| 5. | See attached Waiver Letter. |
| 6. | See attached Waiver Letter. |
| 7. | (A) See pages 4 - 62; (B) See pages 64 - 65. |
| 8. | See pages 48 - 62. |
| 9. | Massachusetts is out of compliance on the Separation core requirement of the JJDP Act and therefore will not be able to meet this condition given the requirements of the non-compliance penalty. |
| 10. | The Research, Policy and Analysis Division (RPAD) of EOPSS has the capacity to provide assistance with research and evaluation. Other state agencies such as the Department of Youth Services, the Executive Office of the Trial Court, the Office of the Commissioner of Probation, the Municipal Police Training Committee, the Department of Children and Families and the Committee for Public Counsel Services have their own research, evaluation and training personnel and capacity (to varying degrees). |
| 11. | The Child Requiring Assistance law (M.G.L. c. 119, § 39) in Massachusetts provides that it is unlawful for any stakeholder to detain status offenders in secure detention facilities or secure correctional facilities. |
| 12. | There are no collocated facilities in Massachusetts. The Department of Youth Services maintains the detention and commitment facilities and it is their policy that all employees who work with juveniles receive juvenile-specific training. Upon completion of the training they receive a certificate of completion. In addition, part of the training includes becoming certified in First Aid/CPR AED. |
| 13. | EOPSS monitors all jails and lockups to ensure compliance with the Jail Removal core requirement of the JJDP Act. |
| 14. | Massachusetts maintains an adequate system of monitoring jails, detention facilities, correctional facilities and non-secure facilities in order to meet the requirements of paragraphs 11, 12 and 13. Please see the Annual Compliance Monitoring Report for further detail. |
| 15. | It is the priority of all juvenile justice stakeholders and agencies to ensure that youth are treated equitably on the basis of gender, race, family income, and disability. |
| 16. | Massachusetts assures that consideration will be given to - and that assistance will be available for - approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency. |
| 17. | Under Massachusetts and federal confidentiality laws the rights of recipients of |

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| | services and their privacy with regard to records relating to such services are protected. |
| 18. | Massachusetts assures that: (A) Any assistance provided under this Act will not cause the displacement of any currently employed employee; (B) Activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and (C) No such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved. |
| 19. | Please see the attachment entitled: "Financial Capability." |
| 20. | Massachusetts provides the reasonable assurance that federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would in the absence of such federal funds be made available for the programs described in this part, and will in no event replace such state, local, and other nonfederal funds. |
| 21. | Massachusetts provides that the state agency designated under paragraph (1) will— (A) To the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based; (B) From time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of state and local needs, that it considers necessary; and (C) Not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency. |
| 22. | See pages 48 - 62. Also, see the Annual Compliance Monitoring Report. |
| 23. | Massachusetts does not allow for a valid court order exception for detaining status offenders. Under Massachusetts law status offenders cannot be securely detained at any time. |
| 24. | Massachusetts assures that if the state receives under section 222 [42 USC § 5632] for any fiscal year an amount that exceeds 105 percent of the amount the state received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services. |
| 25. | Massachusetts does not intend to dedicate any funds received under section 222 [42 USC sec. 5632] towards incentive grants to reduce the caseloads of probation officers. |
| 26. | Massachusetts provides that, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court. |
| 27. | The Department of Youth Services receives information from the Department of Children and Families on clients who are involved in both systems in order to assist in their treatment. |
| 28. | Massachusetts assures that juvenile offenders whose placement is funded through |

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| | section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675). |
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